Planning and Environmental Consultants

Updated Kerry Slug Derogation Licence Application Supporting Information

Curraglass Wind Farm Planning Application

DOCUMENT DETAILS

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Prepared By:	**MKO** **Tuam Road** **Galway** **Ireland** **H91 VW84**

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01	Final	11/12/2025	PD	SF/CC

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1. INTRODUCTION

1.1 Objective of the Proposed Works

This report has been prepared in support of an application for an updated derogation licence for disturbance to Kerry Slug (*Geomalacus maculosus*) as required under Regulation 54(2) (A-E) of the European Communities (Birds and Natural Habitats) Regulations. Kerry Slug is protected under Annex II and Annex IV of the European Habitats Directive. Annex IV in particular protects the species from disturbance and habitat destruction. The derogation licence is required to fulfil mitigation measures to translocate the Kerry slug during the construction phase of the proposed Curraglass Renewable Energy development, hereafter the Proposed Development, currently with Cork County Council (Planning reference 25/6398).

A derogation licence (DER-KERRY SLUG-2025-06, included in Appendix 1) has already been issued in support of the Proposed Development but expires on the 31st of December 2025. This licence was issued on the 29th of October 2025. No works have been undertaken within the Proposed Development site since this licence was issued, and no significant changes to ecological baseline have occurred. It can, therefore, be reasonably assumed that the information provided for the previously issued licence remains valid.

1.2 Statement of Authority

Supervisors

This derogation licence is applied for by Pádraig Desmond (B.Sc. Ecology and Environmental Biology), MKO Project Ecologist. Pádraig has over 5 years ecological consultancy experience, trained in Kerry Slug surveying under the guidance of Neansaí O'Donovan, (2023), having undertaken work under DER/KERRY SLUG-2025-03). Pádraig has been trained in surveying Kerry slug by Neansaí O'Donovan who is specialising in molluscs. Site visits were carried out in Knocknamork, Co. Kerry where slug traps were set, and records of Kerry slug collected. All these training works were carried out under license DER/KERRY SLUG-2022-137 (Extension). Pádraig is also currently a supervisor for ongoing pre-commencement Kerry slug translocation works for the permitted developments in Knocknamork, Co. Kerry (ACP case numbers 321029, 317406, and 314602), under DER/KERRY SLUG-2025-05.

Neansaí O'Donovan (B.Sc. Wildlife Biology). Neansaí, MKO Senior Ecologist, over 5 years ecological consultancy experience, trained in Kerry slug surveying under the guidance of Dr. Inga Reich (2022), previous Kerry slug Licences held (DER/KERRY SLUG-2022-137 (Extension); C106/2024; C012/2025, DER/KERRY SLUG-2025-03). Neansaí has been trained in surveying Kerry Slug by PhD graduate Dr. Inga Reich who specialised in the species. Site visits were carried out in Oughterard, Co. Galway where slug traps were set, and records of Kerry slug collected. All these training works were carried out under licence C71/2022.

Viorel Anitei (B.Sc. Environmental Science), MKO Project Ecologist, has over 5 years ecological consultancy experience and has previously undertaken work under Kerry Slug licence C182/2024. Viorel has been trained in surveying Kerry Slug by PhD graduate Dr. Inga Reich who specialised in the species. Site visits were carried out in Oughterard, Co. Galway where Slug traps were set, and records of Kerry Slug collected. All these training works were carried out under licence C71/2022.

Trainees

Sara Fissolo (B.Sc. Ecology and Environmental biology), MKO Project Ecologist with over 5 years ecological consultancy experience and is envisaged to be trained in Kerry Slug surveying under the

guidance of Padraig Desmond and Neansaí O'Donovan. Sara is specialised as a bat ecologist and also routinely manage all the ecological requirement of large sized infrastructural projects.

Nora Szijarto (M.Sc. Behavior, Conservation and Evolution), MKO Ecologist with over 2.5 years ecological consultancy experience and is envisaged to be trained in Kerry Slug surveying under the guidance of Neansaí O'Donovan, Padraig Desmond and Viorel Anitei. Nora is specialised as bat ecologist, routinely overseeing medium and large sized infrastructural projects. Nora routinely undertakes pre-commencement surveys for mammals, invasive species surveys, habitat surveys.

Stephanie Corkery (B.Sc. Ecology and Environmental biology, M.Sc. Marine Biology), MKO Ecologist with over 4 years ecological consultancy experience and is envisaged to be trained in Kerry Slug surveying under the guidance of Neansaí O'Donovan, Padraig Desmond and Viorel Anitei. Nora is specialised as bat ecologist, routinely overseeing medium and large sized infrastructural projects. Nora routinely undertakes pre-commencement surveys for mammals, invasive species surveys, habitat surveys.

Andrew McCarthy (B.Sc. Ecology and Environmental biology), MKO graduate Ecologist who recently joined MKO and is envisaged to be trained in Kerry Slug surveying under the guidance of Neansaí O'Donovan, Padraig Desmond and Viorel Anitei.

1.3 Background

This report sets out the results of previous dedicated Kerry slug surveys undertaken within the development site to inform the planning application for the Proposed Development. The Proposed Development consists of 3 no. wind turbines, new and upgraded access roads and entrance(s), borrow pit and spoil management areas, internal electrical cabling, temporary construction compounds and a permanent meteorological mast. All wind farm site cabling will be laid underground. It is proposed to utilise the exiting wind farm infrastructure at the site, including the existing on-site substation. Much of the proposed infrastructure will be located within existing hardstand and roads which were constructed in 2005 for the original wind farm. The Proposed Development will be undertaken by Wingleaf Limited, on private land where landowner permission has been granted.

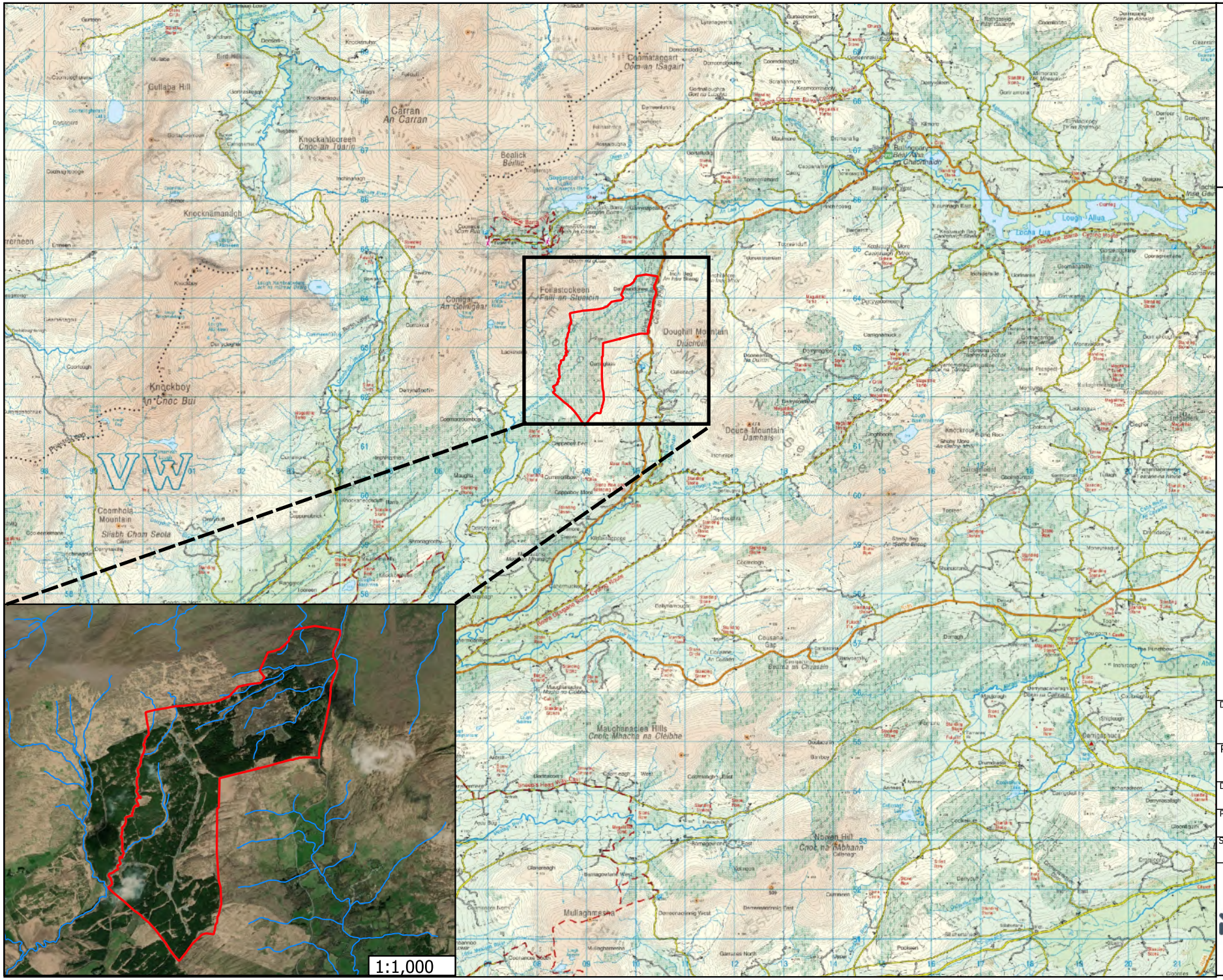
The main infrastructure of the development will be in the townlands of Derreendonee, Curraglass, Cappaboy Beg, and Inchi More.

The Proposed Development will provide renewable energy to the national grid from wind energy and will progress Ireland towards its renewable energy targets as set out in global pledges sets as the Pris Agreement (2015). The development of renewable energy is in line with European Policy as set out in the Renewable Energy Directive (as amended, EU/2023/2413), and the European Green Deal, which, among other targets, sets out the requirements for the countries within the European Union to have no net emissions of greenhouse gases by 2050. On a national level, the development of renewable energy is required by the National Planning Framework, the Climate Action Plans, the Climate Action and Low Carbon Development (Amendment) Act 2021, and other plans, and guidelines, which are set out in detail in the relevant planning applications. Regional (Southern Regional Spatial and Economic Strategy (RSES)) and County Development Plans further include support for renewable Energy sources and requirements for associated transmission and distribution infrastructure. Relevant policies, zoning and development plans have been reviewed in detail in the planning applications for this Proposed Development. Currently, Ireland is not on track to meet its renewable energy targets as set out in national and European plans and legislation (SEAI, 2024). The development is needed to progress targets on energy infrastructure, wind and solar energy.

A total of 8.8 hectares of forestry will be permanently felled within and around the footprint of the Permitted Development. The forestry comprises of non-native planted conifers, with Sitka spruce dominating and lodgepole pine also present. Kerry slugs have previously been recorded across the site

under planning permission 20350 (ACP case reference: 308244) across peatland, grassland and conifer plantation habitats.

The site location of the Proposed Development is shown in Figure 1-1.



Map Legend

EIAR Site Boundary

Drawing Title

Site Location

Project Title

Curraglass Wind Farm - Derogation licence application

Drawn By	Checked By
PD	PD
Project No. 230614-a	Drawing No. Figure 1-1
Scale 70,000	Date 2025-03-27

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2. ACTIVITIES TO BE COVERED UNDER DEROGATION

The derogation licence will cover translocation works during the construction stage of the Proposed Development, in line with mitigation set out in the current Proposed Development application and the previously issued Derogation Licence (DER-KERRY SLUG-2025-06), as issued on the 29th of October. **No works have been undertaken within the Proposed Development site since this licence was issued, and no significant changes to ecological baseline have occurred. It can, therefore, be reasonably assumed that the information provided for the previously issued licence remains valid, which is repeated below.**

2.1 Kerry Slug Specific Mitigation Measures

During the construction phase of the Proposed Development, including any felling works, the construction corridor will be kept to a minimum to avoid direct habitat loss for Kerry slug. Individual slugs within the footprint of the works will be translocated. Translocation will be to adjacent suitable habitats (outside of other construction works area). This is to ensure that suitable habitat remains and food sources for the Kerry slugs following their removal from the works area.

Kerry slugs have colour variations which are associated with different habitat types i.e., brown slug with yellow spots in forested habitats, and a black/grey slug with white spots in peatland habitats. This has been identified as a camouflage adaptation, and the translocation will consider this. For example, the translocation of any slugs from forested habitat will be to a suitable forested habitat outside of the impacted area. Any translocation which does not consider this will result in a mismatch of colouration. This in turn has the potential to result in an increase in predation caused by visually- foraging predators (O'Hanlon et al. 2017). This has been taken into consideration in the translocation methodology outlined below.

Measures during Construction:

The following measures will be implemented prior to the commencement of construction:

- Known locations of Kerry Slug identified from the survey efforts (see Figure 3-2) will be marked off by an appointed qualified/licenced ecologist. This will help avoid inadvertent encroachment of machinery into known Kerry Slug habitat.
- On a precautionary basis, pre-commencement surveys in advance of any works will be carried out in areas of suitable Kerry Slug habitat under licence along the Proposed Development footprint by the qualified licenced ecologist. These will be carried out on a section-by-section basis as the construction works progress along the Proposed Development site.
- Slugs recorded during surveys will be translocated to similar suitable nearby habitat e.g. if found in conifer plantation then moved to adjacent conifer plantation. These sites will be subject to approval by the NPWS as part of their approval process for the translocation licence.

The following mitigation measures will be implemented during construction as per the Kerry Slug Management plan:

- The extent of the development footprint will be clearly marked to prevent any encroachment on Kerry slug habitat located outside the works area.

- Should Kerry slugs be found in the works area during the construction phase the site ECoW will notify the project ecologist and they will be relocated by a licenced and suitably qualified individual to a suitable habitat outside the works area to avoid direct mortality.
- Turves and boulders/exposed rock will be stored adjacent to the infrastructure footprint where practicable before reinstatement to maintain suitable habitat for the species in the vicinity of the works during construction.

There is sufficient evidence that such mitigation measures have been successful elsewhere (O'Hanlon et al. 2017) along with record returns (DER/KERRY SLUG – 2018 – 88).

Hand Search and Metric Trapping

The search will follow the methodology outlined in McDonnell & Gormally (2011), consisting of a hand search and the deployment of metric refuge traps manufactured by De Sangosse (Pont du Casse, France). The surveys will be undertaken in suitable weather conditions, where possible. As per the NRA (2009) guidelines, surveys for Kerry Slug can be completed all year round. It is recommended to conduct surveys at night during damp or humid conditions. Surveys can also be completed during daylight hours on cloudy, damp days. Additionally, searching of nearby trees will be undertaken when collecting the refuge traps.

The search will focus on the following habitats/features within the permitted felling sites, and on grasslands and peatlands within the development footprint:

- Rotting logs/tree stumps in areas of forestry.
- Rocky outcrops and stone walls where present.
- Tree trunks and stumps in areas of forestry.
- Peeling back moss from the tree base to confirm if Kerry slugs are present.

Refuge traps (Plate 2-1) will be deployed in forested areas and rocky outcrops within the permitted areas for felling. The traps will be secured with string and/or rocks and pegs.

Plate 2-1 example of De Sangosse trap

Only trained and licenced personnel will carry out the Kerry slug search, the credentials of whom are listed in Section 1.2 above, and the accompanying licence application form.

Translocation Methodology (Pre-Construction)

The surveys for translocation will follow the methodology outlined in Mc Donnell & Gormally (2011), consisting of a hand search and the deployment of metric refuge traps manufactured by De Sangosse (Pont du Casse, France). The surveys will be undertaken in suitable weather conditions where the felling is permitted. Only trained and licensed personnel will carry out the Kerry slug surveys.

The surveys will follow the translocation methodology as set out below:

- Search, trapping, and translocation will only occur during suitable weather conditions (wet/humid weather).
- The identification of suitable receiving habitat is critical. Animals found on sandstone will be translocated to sandstone, those found on oak trees will be located to oak trees, etc.
- Kerry slugs will be translocated to suitable habitat (like for like) within the same grid square as they were found, outside of the development footprint e.g. Kerry slugs found on tree stumps within recently felled woodland on wet grasslands will be translocated to tree stumps within recently felled woodland on wet grasslands.
- Prior to the commencement of construction, the location of the proposed development footprint will be surveyed by a suitably qualified professional, under a survey license from NPWS. The results of this survey will be submitted to the NPWS for comment and approval and the survey will identify areas where further surveys or the removal of slugs may be required.
- It is likely that some removal and translocation of slugs will be required. The areas where this will be required will be informed by the initial surveys to be undertaken. The methods by which this will be undertaken will be submitted to the NPWS for approval. Any translocation works will be carried out by suitably qualified professionals under this licence. The removal will be undertaken before the commencement of construction activity.
- Slugs will be translocated to suitable areas of similar habitat within the study area, such as forestry, wet heath, scrub, or woodland. These sites will be approved by the NPWS as part of their approval process for the translocation methodology.
- Slugs collected from forestry will be re-located to a forested habitat and slugs collected from grassland will be relocated to grassland etc.

3. ECOLOGICAL SURVEY AND SITE ASSESSMENT

A derogation licence (DER-KERRY SLUG-2025-06, included in Appendix 1) has already been issued in support of the Proposed Development but expires on the 31st of December 2025. This licence was issued on the 29th of October 2025. No works have been undertaken within the Proposed Development site since this licence was issued, and no significant changes to ecological baseline have occurred. It can, therefore, be reasonably assumed that the information provided for the previously issued licence remains valid, which is repeated below.

3.1 Kerry Slug Records

The Proposed Development site is within the range of the Kerry slug distribution in Ireland (Reich et al. 2012) and is situated within a larger landscape which contains suitable habitat for the species. There is no Special Area of Conservation (SAC) in the vicinity of the site designated for Kerry slug. The population found within the study site is not associated with any European Site, given the distance to the closest SACs (Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC which is approx. 16km north and Glengarriff Harbour and Woodland SAC which is approx. 17km west southwest). This is due to the slow rate of dispersal shown by Kerry slugs (average mobility of 1m per day) and their strong affinity for the microhabitats with which they are associated (McDonnell & Gormally 2011). Further, the study site is isolated from any Kerry slug designated SAC by aquatic barriers from a network of rivers to the north and west of the site. Therefore, actions permitted by a derogation licence will not affect the Kerry slug populations in any surrounding SAC's.

The methodologies and results of Kerry slug surveys undertaken in 2020 are provided in the below sections, which were submitted as a Licence Return Report (C71/2020) in 2021 and included in **Appendix 2** of this report. These results are further presented in Figure 3-2.

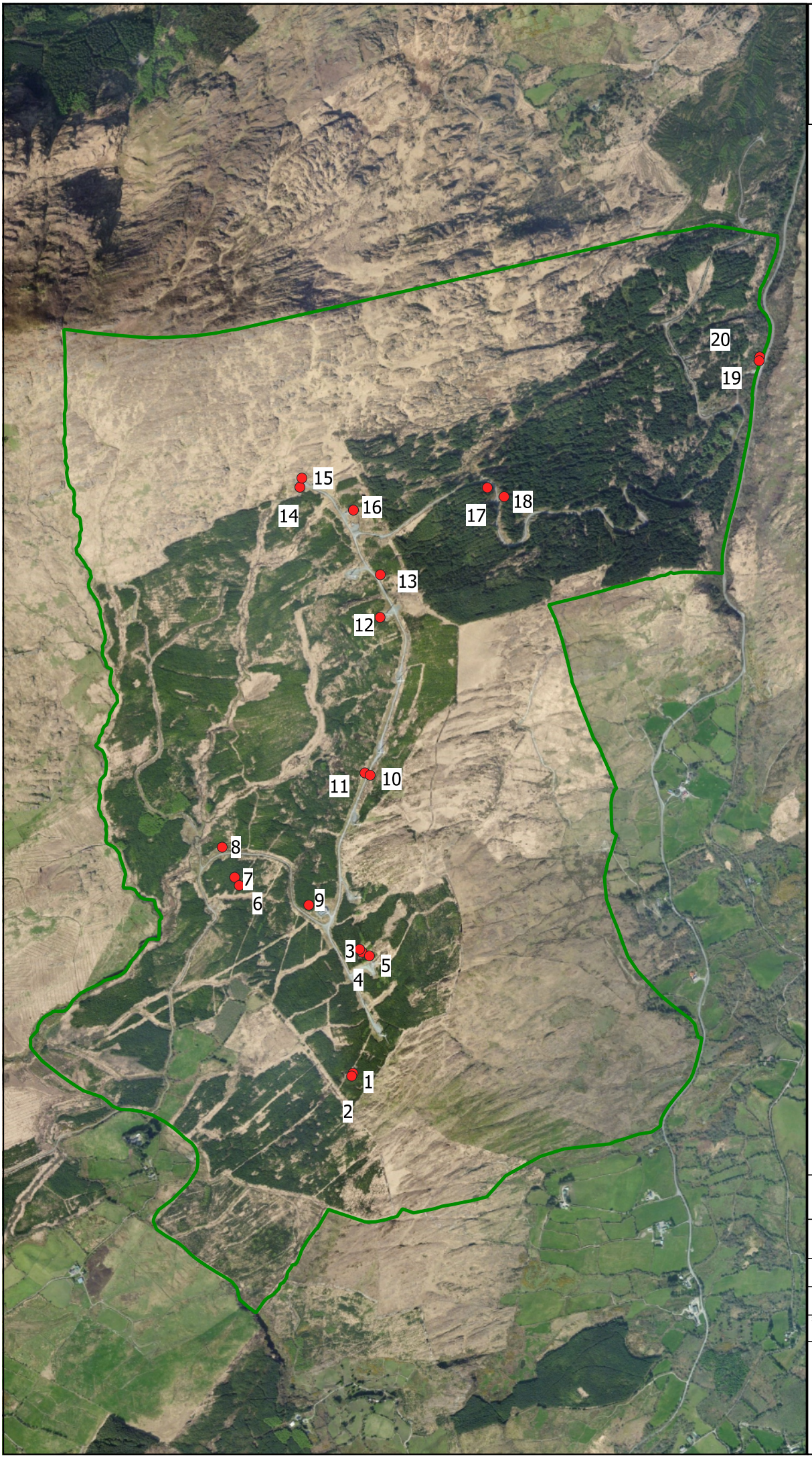
3.1.1 Survey Methodology 2020

Given that the proposed development was identified as being within the known range for Kerry slug, as highlighted by NPWS data provided in the desk study, a general survey for Kerry slug was carried out within areas of suitable supporting habitat within the site on the 25th of March 2020. In addition, a designated survey was carried out within the study area by means of trapping. A licence was obtained from NPWS (Licence No.: C71/2020) and metric traps were placed within areas of the proposed development footprint and other habitat areas within the study site.

Surveys for this species comprised a combined methodology based on most recent studies and guidelines. Hard searching is the first stage in determining presence/absence. If no evidence is found, then metric traps should be deployed for a 4-6 week period to confirm absence of the species (McDonnell, 2011). As the purpose of this survey was to determine presence/absence of Kerry slug within the study area a combined approach was used. Trapping should take place during wet weather on blanket bogs and heaths, and during spells of dry weather in woodlands (O'Donnell 2011). Hand searching was carried out in appropriate weather conditions (damp weather, according to Platts & Speight, 1988 (Reich 2012)) with temperatures at a minimum of 8 degrees celsius on the 25th of March 2020. This comprised searching the surface of rocky outcrops and tree trunks as well as peeling back moss from the tree base to confirm if individuals were present. De Sangosse traps were used which comprised a square of absorbent material with reflective upper surface and perforated dark lower surface measuring 50cm x 50cm. The traps were baited with a piece of carrot approx. 2.5cm in size, moistened with water and placed within conifer plantation, rocky outcrops and other suitable habitat within and adjacent to the proposed development footprint. Areas of newly proposed infrastructure

such as turbine bases, borrow pits, substation and construction compound were targeted for placement of traps. The traps were secured with string and/or rocks and pegs where placed on the ground. Band traps were also erected around tree trunks. These were placed approximately 1.5m from the ground and secured with string.

A map showing the location of the 20 Kerry Slug traps deployed on the 25th of March 2020 is shown on Figure 3-1.



Drawing Title
Kerry Slug Trap Locations Curraglass

Project Title
Proposed Renewable Energy Development

Drawn By	Checked By
Laoise Kelly	John Hynes
Project No.	Figure
190301	Figure 3-1
Scale	Date
1:175000	17.06.2020

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3.1.2 Survey results 2020

Hand searches confirmed the presence of Kerry slug within the study area and a total of 19 observations were recorded in a range of habitats through the study area (see Table 3-1 below).

Seventeen records of Kerry slug were obtained on collection of the metric traps on 26th May 2020 the results of which are shown in Table 3-2. The overall locations of Kerry slug recorded in the site are shown in Figure 3-2.

Table 3-1 Incidental records of Kerry Slug recorded within the study area 25.03.2020

Habitat	No. Kerry Slug Recorded	Grid reference/Location
Rocky outcrop, boulder	3	E108796; N063602
Felled conifer plantation	N/A	N/A
Boulders at existing turbine base	3	E109091; N063144
Rocky outcrop/boulder	1	E109035; N062576
Conifer tree near proposed hardstanding area	1	E108589; N062175
Individual boulders	3 3 3	E109007; N061959, E109017; N061968 E109031; N061952
Boulder	1	E109006; N061619
Conifer tree	1	E108970; N061536
Incidental Records TOTAL	**19**	

Table 3-2 Kerry Slug recorded in metric traps 26.05.2020

Habitat	No. Kerry Slug Recorded	Grid reference/Location	Metric Trap No.
Tree in Conifer Plantation (WD4)	3	E108976 N061533	1
Tree in Conifer Plantation (WD4)	1	E108988 N061873	3
Individual boulder	2	E109007 N 061964	4
Tree in Conifer Plantation (WD4)	1	E108583 N062193	6
Tree in Conifer Plantation (WD4)	5	E108526 N062327	8
Recolonising Bare Ground (ED3) adjacent to Conifer Plantation (WD4)	1	E109071 N063121	12
Rocky outcrop, boulder adjacent to Conifer Plantation (WD4)	2	E109072 N063267	13
Oak-Birch-Holly Woodland	1	E110385 N064022	20
Metric Trap Records TOTAL	**16**		

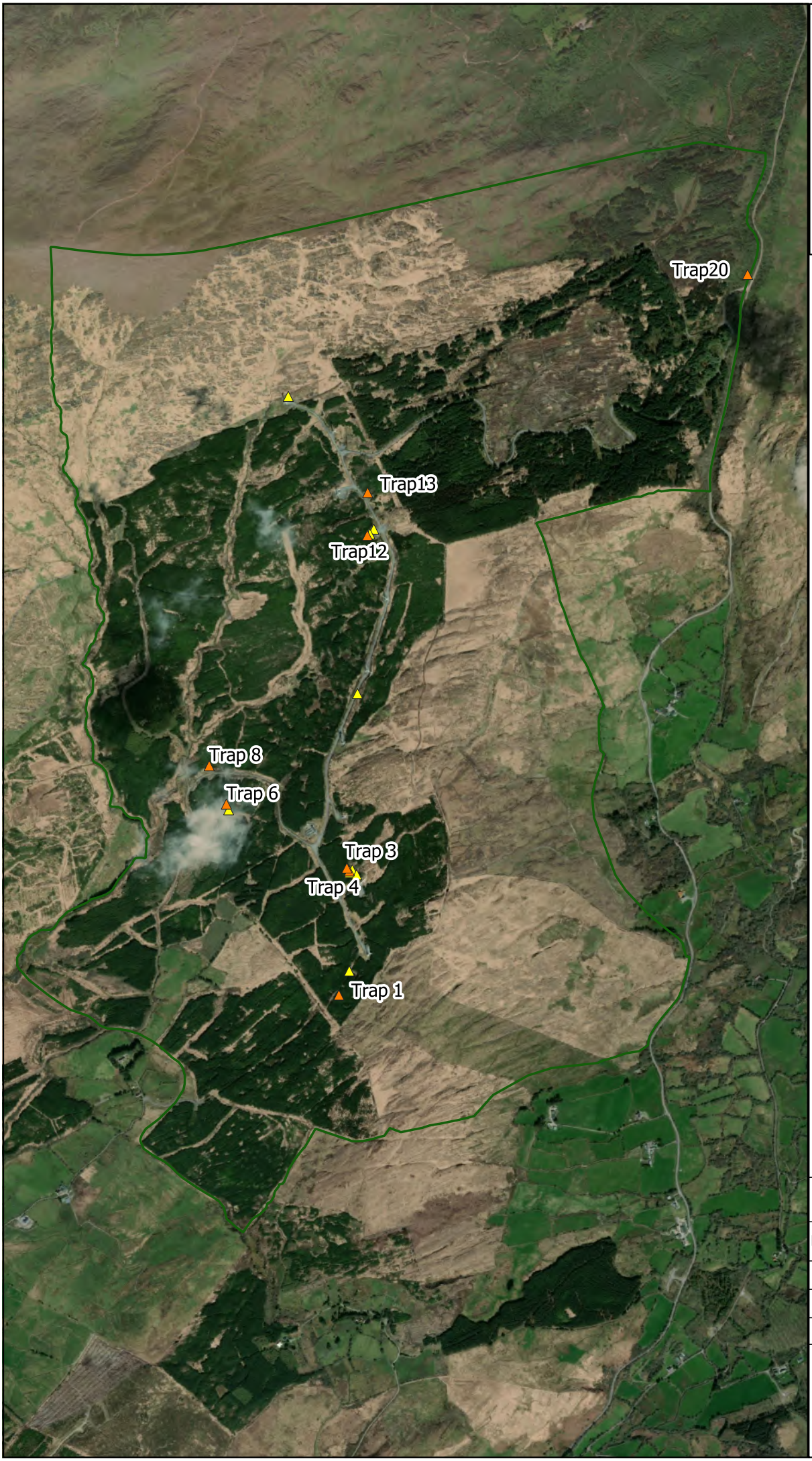
Given the widespread records of Kerry slug recorded, the above results indicate that this species is utilising most habitats within the site and therefore, Kerry slug are assumed to be present in suitable supporting habitat throughout the site. Such supporting habitats including conifer plantation, recently felled woodland and scrub mosaic, rocky outcrops, and woodland will remain in abundance post construction.

3.1.3 Survey Results 2024 & 2025

Additional surveys of the proposed development site have been undertaken in 2024 and 2025. The aim of these surveys was to identify any significant changes in the ecological baseline since the previous

surveys in 2020. There appears to be no active forestry operations in place at the site, which remains dominated by conifer plantation and recently felled woodland with self-establishing sitka spruce and other conifer species. As such, the extent of supporting habitat for Kerry slug remains the same as identified in 2020, with no significant changes to the habitats within the site.

Figure 3-3 below provides the 2020 habitat map of the site, which remains valid today.



Map Legend

- EIAR Site Boundary
- Incidental Kerry Slug Records 25.03.2020
- Kerry Slug Metric Trap Records 26.05.2020

Drawing Title	Kerry Slug - Incidental and Metric Trap Records
Project Title	Proposed Renewable Energy Development, Curraglass
Drawn By: LK	Checked By: PR
Project No.: 190301	Drawing No.: Figure 3-2
Scale: 1:17500	Date: 30-06-2021

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Map Legend

- EIAR Site Boundary
- Rhododendron
- Kerry Slug Records
- Buildings and artificial surfaces (BL3)
- Spoil and bare ground (ED2)
- Recolonising bare ground (ED3)
- Wet grassland (GS4)
- Wet heath (HH3)/Upland blanket bog (PB2)mosaic
- Montane heath (HH4)
- Conifer plantation (WD4)
- Oak-birch-holly woodland (WN1)
- Degraded Wet heath (HH3) /Blanket bog (PB2)
- Eroding/ upland rivers (FW1)
- 50m River Buffer

1

Habitat Map Curraglass

Curraglass Renewable Energy Development Co. Cork

Laoise Kelly

John Hynes

Project No.
190301

Drawing No.
Figure 3-3

1:15315

06.05.2020

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3.2 Population Size Class Assessment

Whilst Kerry slug was recorded throughout the Proposed Development, the individuals found were strongly associated with certain habitat features such as tree trunks, exposed rock, track edges and hard surfaces.

While large populations of Kerry slug are presumed to be present in the vicinity of the site, the EIAR clearly sets out how mitigation by avoidance was undertaken in reducing the development footprint and adjusted the project design to limit the negative impacts on the population.

The Proposed Development has been designed to minimise the loss of any habitat of ecological importance by utilising existing hard surfaces, such as previous hard stands and existing roads. The total approximate footprint of the proposed development is 2.55 ha, within a study area of approximately 267 ha. However, there will be a requirement for the removal of habitats such as conifer plantation, recently felled woodland, mixed broad-leaved woodland, degraded wet heath, and scrub. As these habitats provide supporting habitat for Kerry slug, and given these species' known presence within the site, there is potential for direct disturbance or mortality of this species, as a result of excavations, machinery movement, and vegetation clearance.

No impacts on Kerry slug are anticipated during operational or decommissioning phase of the proposed development.

4. EVIDENCE TO SUPPORT THE DEROGATION TESTS

A derogation licence (DER-KERRY SLUG-2025-06, included in Appendix 1) has already been issued in support of the Proposed Development but expires on the 31st of December 2025. This licence was issued on the 29th of October 2025. No works have been undertaken within the Proposed Development site since this licence was issued, and no significant changes to ecological baseline have occurred. It can, therefore, be reasonably assumed that the information provided for the previously issued licence remains valid, which is repeated below.

The NPWS document, *Guidance on the Strict Protection of Certain Animal and Plant Species under the Habitats Directive in Ireland* - National Parks and Wildlife Service Guidance Series 1 (2021), the guidance on *Applications for Regulation 54 Derogations for Annex IV species* by the NPWS (2025), the European Commission Guidance (2011), and the Nature Scot Guidance (2020) was reviewed before undertaking this derogation application.

Article 16 of the Habitats Directive sets out three pre-conditions, all of which must be met before a derogation from the requirements of Article 12 or Article 13 of the Directive can be granted. These pre-conditions are also set out in Regulation 54 of the Regulations.

The preconditions are:

- A reason(s) listed in Regulation 54 (a)-(e) applies
- No satisfactory alternatives exist
- Derogation would not be detrimental to the maintenance of a population(s) at a favourable conservation status.

It is believed that the pre-conditions for granting a derogation licence have been met, as follows:

4.1 Test 1 – Reasons for Seeking Derogation

54(2) (a)–(e) states that a derogation licence may be granted for any of the reasons listed (a) to (e). We are of the opinion that the following reasons apply:

(c) In the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

The EC guidance (2011) states (3-32) '*Secondly, the 'overriding' nature of this public interest must be underlined. This implies that not every form of public interest of a social or economic nature is sufficient, in particular when set against the particular weight of the interests protected by the Directive. Careful balancing of interests is needed here. It is also reasonable to assume that* ***in most cases, the public interest is likely to be overriding only if it is a long-term interest****: short-term interests that only yield short-term benefits would not be sufficient to outweigh the long-term interest of species conservation.*'

Furthermore, Nature Scot offers advice in determining what might constitute 'other imperative reasons of overriding public interest'. In the context of this derogation application, the following examples form the nature Scot guidance would apply:

- "*where there is clear and demonstrable direct environmental benefit on a national or international scale;*

- *where it is shown that there is a vital contribution to strategic economic development or regeneration;*
- *where failure to proceed would have unacceptable social and/or economic consequences*
- *where the project is of national importance, or, possibly, regional importance*"

The guidance further states that when a development is required to meet or contribute to meeting a specific need, 'imperative reasons of overriding public interest' (IROPI) can be applied. The guidance states the following points as activities or developments as suitable:

1. *"Maintaining the health, safety, education or environment (sustainable development, renewable or green energy, green transport);*
2. *complying with national planning policies;*
3. *supporting economic or social development (nationally important infrastructure development projects, employment, regeneration, mineral extraction, housing etc.)"*

The derogation licence is required to comply with mitigation measures as set out in the relevant planning applications. The construction of the wind farm will have consequences of primary importance for the environment by producing renewable energy and helping Ireland in the reduction of carbon emissions as part of the Climate Action Plan to halve Ireland's emissions by 2030 and reach net zero by no later than 2050. Whilst the habitats within the construction footprint provide suitable habitat for Kerry slug, they are highly modified, and supporting habitat is widespread in the area. Therefore, the loss of such habitats and the required disturbance to this species, provided that this derogation allows for the appropriate translocation of Kerry slug, to progress the development is considered acceptable in the effort in meeting Irelands climate action goals.

As per the reasoning provided above, the condition in test 1 has been met.

4.2 Test 2 – There is no Satisfactory Alternative

There is no satisfactory alternative to the permitted development and felling works.

Do nothing scenario

Should the proposed development not proceed, the opportunity to construct a renewable energy development in a suitable location will be lost.

Disturbance avoidance

Mitigation by avoidance was considered in the project design. The Proposed Development has been designed to minimise the loss of any habitat of ecological importance, including suitable Kerry slug habitat. Existing infrastructure, such as existing roads and previous turbine hard stands, has been used in the design of the development, and as such, loss of suitable supporting habitat has been kept to a minimum. The overall construction footprint is small (approximately 2.55 ha in a site of 267 ha), and the loss of suitable habitat will not be significant in the context of the wider site.

Given the ecology of Kerry slug, their localised nature and year-round presence, there is no viable alternative regards seasonal works to avoid disturbance to this species.

Viable option

Vegetation removal to accommodate the Proposed Development will be undertaken in consultation with NPWS, under supervision of an appointed ECoW, and under licence. The translocation and survey methodologies detailed in this report will be fully adhered to, and will allow the progression of the Proposed Development while not impacting the favourable status of Kerry slug within the site.

There is no satisfactory alternative to the translocation of individuals under licence.

As per the reasoning provided above, the condition in test 2 has been met.

4.3 Test 3 - Impact of a derogation on Conservation Status

Annex IV species must be maintained at Favourable Conservation Status or restored to favourable status if this is not the case at present. The net result of granting a derogation licence must be neutral or positive for the species in question.

Mitigation in the form of translocation is prescribed to ensure that Kerry slugs within the works area are translocated to a suitable similar nearby habitat minimising loss of individual animals during the works. Suitable habitat for the Kerry slugs will be lost due to the construction of the proposed wind farm. However, suitable habitat is abundant in the wider area and habitat enhancement measures will also be provided in line with the EIAR as follows:

- Turves and boulders/exposed rock will be stored adjacent to the infrastructure footprint and reinstated along the construction corridor post construction of the hardstanding areas. The boulders, currently containing lichen growth, will be placed to one side during construction and will be subsequently reinstated along the newly installed infrastructure to facilitate the restoration of this habitat.
- In addition, vegetated turves, stripped to 30cm during initial site preparation, will be temporarily stored to one side and reinstated along the construction corridor following the installation of hardstanding.
- In addition, any forestry felling around the infrastructure will result in tree stumps being left to decay naturally. This will further provide suitable habitat for Kerry slug.

As per the reasoning provided above, the condition in test 3 has been met.

5. ENHANCEMENT AND MONITORING

The following enhancements for Kerry slug specifically will be undertaken:

- Tree stumps resulting from the felling of forestry will be left *in situ* to decay to provide suitable habitat for Kerry slug.
- Rock outcrops, boulders and stonewalls will be retained where possible or, if removal can't be avoided, they will be replaced to enhance the value of the habitat surrounding the windfarm infrastructure.
- Monitoring programme.

The Kerry slug population on the site will be monitored to assess the success of the above enhancement measures and provide data on Kerry slug in the area. This will involve conducting surveys on an annual basis for three years post construction, the results of which will be reported to NPWS. These surveys will be carried out during optimal weather conditions (mild, damp, overcast and not excessively windy) by suitably qualified professionals, under survey licence. They will follow Mc Donnell & Gormally (2011) and involve both hand searching and metric refuge trapping and will be carried out in the same locations and roughly around the same time every year to allow a comparison between years. If monitoring demonstrates that the enhancement measures are unsuccessful, the measures will be reviewed and additional methods will be explored.

6. CONCLUSION

In conclusion, this report supports the application for a derogation license for Kerry slug associated with the proposed wind farm development at Curraglass, Co. Cork. As required as part of the application process, the report addresses the following:

- Explanation as to why the derogation licence sought is the only available option for works and no suitable alternative exists as per Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations.
- Evidence that actions permitted by a derogation licence will not be detrimental to the maintenance of the populations of the species to which the Habitats Directive relates at a favourable conservation status in their natural range as is required under Section 54(2) of the European Communities (Birds and Natural Habitats) Regulations.
- Details of any mitigation measures planned for the species affected by the derogation at the location, along with evidence that such mitigation has been successful elsewhere.
- Evidence to support the derogation tests.
- As much information as possible to allow a decision to be made on this application.

With the implementation of mitigation and enhancement measures as outline in this report it can be concluded that the granting of the derogation licence would not be detrimental to the maintenance of the Kerry slug populations locally or in the wider County and the favourable conservation status of the species will not be undermined.

A derogation licence (DER-KERRY SLUG-2025-06, included in Appendix 1) has already been issued in support of the Proposed Development but expires on the 31st of December 2025. This licence was issued on the 29th of October 2025. No works have been undertaken within the Proposed Development site since this licence was issued, and no significant changes to ecological baseline have occurred. It can, therefore, be reasonably assumed that the information provided for the previously issued licence remains valid.

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