



Gortloughra Wind Farm

Kerry Slug Derogation Licence
Application

Supporting Information

Doherty Environmental Consultants Ltd

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This report has been prepared by Doherty Environmental Consultants Ltd with all reasonable skill, care and diligence. Information report herein is based on the interpretation of data collected and has been accepted in good faith as being accurate and valid.

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1.0 INTRODUCTION

Gortloughra Wind Farm Ltd. have applied to An Coimisiún Pleanála for planning permission for a proposed 8 Turbine Wind Farm and associated infrastructure at a site within the townlands of tSeithe Bheag (Shehy Beg), (Muscraí Gaeltacht), Gortloughra, Cloghboola and Inchinroe.

As part of the baseline ecological studies completed for the Wind Farm Project a desk study review and field survey for Kerry Slug (*Geomalacus maculosus*) were undertaken. The desk study review identified previous records for the presence of this species in the immediate vicinity of the Wind Farm Site, whilst the field surveys identified the presence of this species within the Wind Farm Site.

Upon review of the planning application and accompanying EIAR An Coimisiún Pleanála have sought further information with respect to Kerry Slug. An Coimisiún Pleanála noted that as potential disturbance of this has been identified in the EIAR they require a valid derogation under Regulation 54 of the EC (Birds and Natural Habitats) Regulations 2011.

In view this request by An Coimisiún Pleanála, a derogation licence application for Kerry Slug is being made to the NPWS Wildlife Licencing Unit and this report has been prepared in support of the derogation licence application.

1.1 DESCRIPTION OF THE PROPOSED WIND FARM DEVELOPMENT

The Proposed Development will comprise of the following main components:

- Erection of eight wind turbines with an overall ground to blade tip height of 175 m. The candidate wind turbine will have a rotor diameter of 150 m and a hub height of 100 m;
- Construction of site access roads, Turbine Hardstands and Turbine Foundations;
- Development of a site drainage network;
- Internal wind farm underground power and communications cabling;
- Erection of a permanent 100 m Met Mast for monitoring wind speeds;

- Construction of a Temporary Construction Compound for use during construction. 1 no. borrow pit;
- Biodiversity improvements including improvement of heath habitat in fenced off lands designated for Habitat Enhancement and restriction of livestock in lands to allow establishment of heath vegetation in these areas; and,
- Recreational community improvements including the erection of 4 No. permanent information boards relating to cultural heritage and upgrades to amenity tracks across the site.

A 10-year planning permission and 40-year operational life from the date of commissioning of the entire wind farm is being sought. This EIAR also assesses the construction of an on-site 110 kV substation and 2 no. grid connection route (GCR) options along public roads:

- Option A: Dunmanway 110 kV substation or
- Option B: Carrigdangan 110 kV substation.

While not part of the planning consent for this planning application, this EIA also assesses the works at 18 No. locations along the Turbine Delivery Route (TDR) from the Port of Cork to Site.

1.2 KERRY SLUG SURVEY: AIMS & OBJECTIVES

The primary aim of the Kerry Slug survey at the Gortloughra Wind Farm was to identify the presence of this species within the Wind Farm Site and to establish whether or not this species relied upon suitable habitat in the form of exposed siliceous rock within the Wind Farm Site.

1.3 LEGISLATIVE CONTEXT

Kerry Slug is protected under both European and National legislation. This species is listed on *Annex II* of the *EU Habitats Directive (92/43/EEC)*, transposed into Irish law under the *European Communities (Birds and Natural Habitats) Regulations 2011* as amended. Regulation 51 of the *European Communities (Birds and Natural Habitats) Regulations 2011* as amended affords protection to Kerry Slug. At the national level all species are protected under the *Wildlife Acts, as amended (1976 and 2000)*.

Section 54 of the *European Communities (Birds and Natural Habitats) Regulations 2011* as amended provides the legislative basis whereby a derogation licence can be granted by the Minister that can derogated the requirement to comply with Regulation 51. Such a derogation licence can only be granted by the Minister under strict circumstances. These circumstances are set out in Regulation 54A(2)(a) – (e).

1.4 CONSERVATION STATUS

The current conservation status of Kerry Slug in Ireland has been reported on by the National Parks & Wildlife Service (NPWS) as part of the requirement set out under Article 17 of the Habitats Directive. The current conservation status reporting under Article 17 is set out in the 2025 Article 17 Report Volume 3: Species Assessments. The current overall assessment of conservation status for Kerry Slug is Favourable (FV).

2.0 METHODOLOGY

2.1 DESK STUDY

A desktop assessment was carried out to collate available information for Kerry Slug at and surrounding proposed Wind Farm Site. The following research with respect to establishing baseline information for Kerry Slug was also undertaken:

- A review of the National Biodiversity Database Centre (NBDC) to identify the presence or otherwise of Kerry Slug records occurring within or within close proximity to the proposed Wind Farm Site;
- A review of NPWS protected species records for the proposed wind farm site and surrounding area;
- A review of baseline geological information pertaining to bedrock conditions and the presence of favourable siliceous bedrock at and surrounding the proposed wind farm site for Kerry Slug
- A review of baseline ecological information for the surrounding area sourced from EIAR Biodiversity Chapters and Ecological Impact Assessment reports for previous project surrounding the proposed wind farm site.

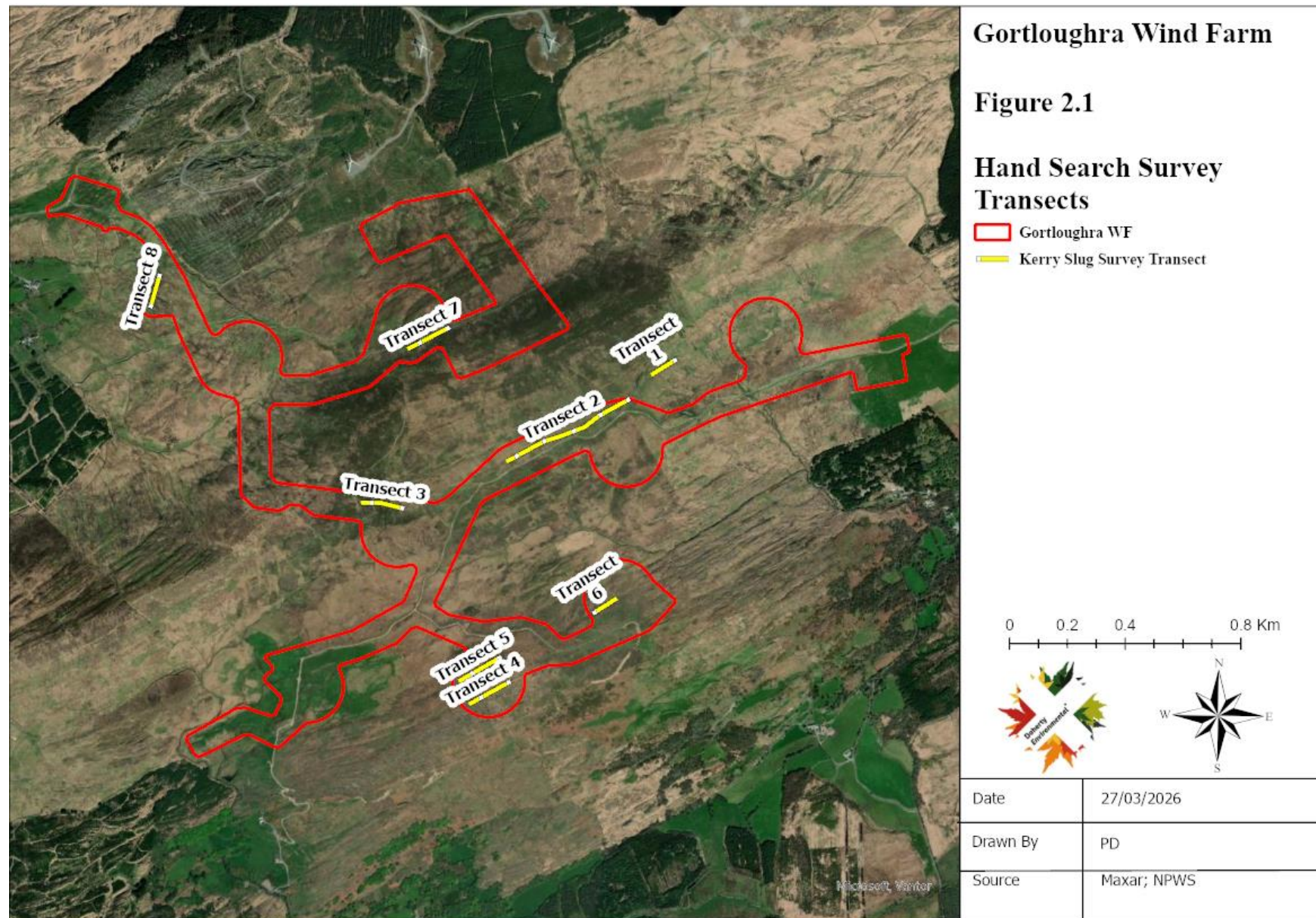
2.2 FIELD STUDY

The aim of the field surveys was to establish the presence/absence of Kerry Slug at the proposed wind farm site. A hand search method was used as the primary survey method to identify presence/absence. Where presence was confirmed using this survey method, no further surveys were completed. In the event that no presence was confirmed using this method than further surveys in the form of De Sangosse traps as per the methods described by McDonnell & Gormally (2011) would be required.

The hand search survey methodology for this species follows the National Roads Authority (NRA) guidelines on the Ecological surveying techniques of protected flora and fauna during the planning of national road schemes (NRA, 2009). These guidelines recommend that fixed route transects should be walked at 20 m intervals throughout oak woodland or bog habitat, ideally at night using torchlight, and a visual count made of the number of individuals observed within five metres of the transect. A day time survey was completed to identify areas of suitable habitat for Kerry Slug crossed by the proposed wind farm layout. Suitable Kerry Slug habitat, in the form of exposed siliceous rock, comprised of sandstone rock faces, ridgelines and outcropping, occur as linear, east to west orientated, features within the proposed wind farm site. Such suitable habitat was targeted for dedicated Kerry slug surveys. These areas were identified during the daytime and transect polylines were prepared in the field using ESRI Field Maps. These habitats were targeted by completing searches for the presence/absence of Kerry Slug along 8 no. transects spanning the exposed siliceous rock habitat. The location of the 8 no. transect surveys are shown on Figure 2.1.

The presence/absence surveys involved a slow walk along each transect searching exposed rock and intervening vegetation for the presence of Kerry Slug. The transect surveys were completed during the daytime and during the nighttime involving a torch survey. No trapping of Kerry Slug was undertaken during the baseline surveys.

The surveys were completed on the 23rd February 2024 during suitable weather with wet, humid, damp and mild conditions at c. 9°C occurring with rainfall during the daytime search and continued damp conditions prevailing during the nighttime search when rainfall ceased.



As Kerry Slug were identified as present at the proposed wind farm site during the primary hand search surveys, no trapping surveys were completed.

3.0 SURVEY RESULTS

3.1 DESK STUDY

Kerry slug are known to occur in the area surrounding the proposed wind farm site having previously been recorded in the neighbouring townland of Torreen to the southeast and during baseline ecological surveys for the Shehy More Wind Farm (see Figure 3.1 for record locations).

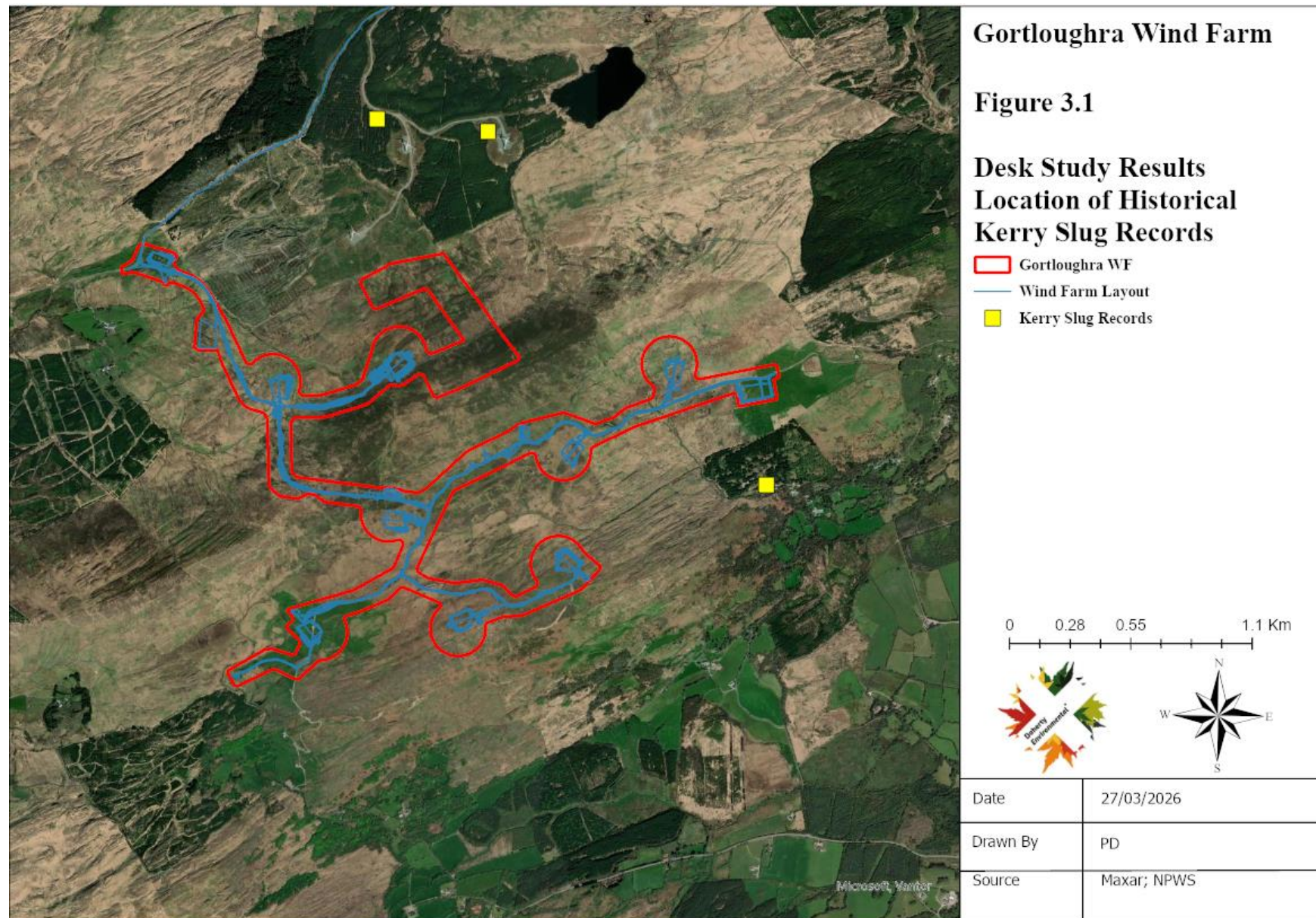
The record from the townland of Torreen adjacent to the proposed wind farm site is located approximately 400m from the Wind Farm Site redline boundary and the nearest point of the Wind Farm Site infrastructure. This record relates to 1 no specimen recorded within a residential firewood shed.

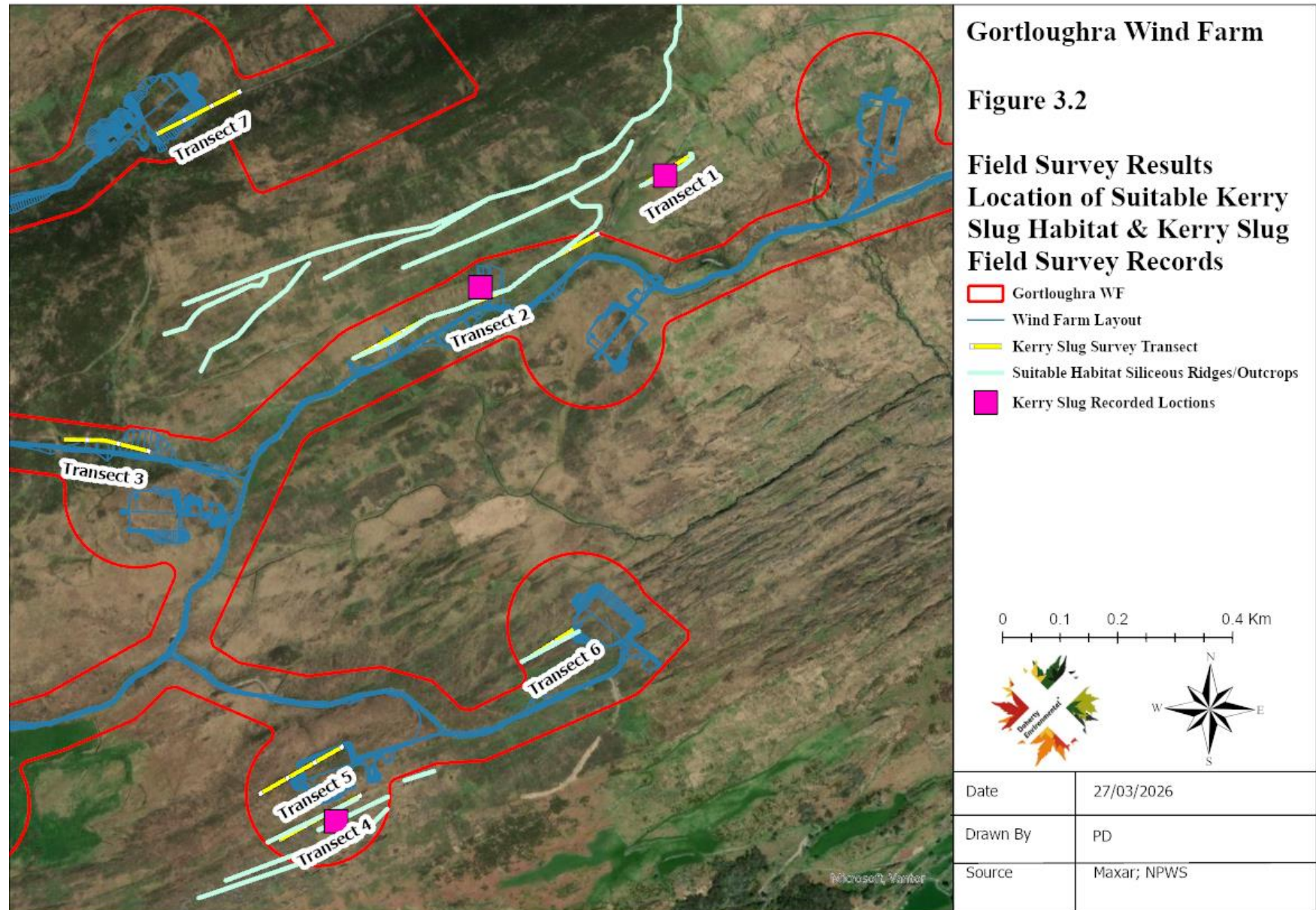
The records from the baseline ecological surveys for the Shehy More Wind Farm are located approximately 590m and 680m from the Wind Farm Site redline boundary with both records being approximately 1km from the nearest point of the Wind Farm Site infrastructure. At the more westerly record 2 no. slugs were recorded on a conifer tree stump; whilst at the more easterly record 8 no. slugs were recorded on boulders.

3.2 FIELD SURVEYS

3.2.1 Extent of Suitable Exposed Siliceous Rock Habitat Within the Proposed Wind Farm Footprint

The extent of exposed siliceous rock occurring within these mosaic habitats is estimated to be less than 300m², comprised of bedrock outcrops at the proposed wind turbine T09 location (amounting to c. 150m², see Figure 3.2 for location of suitable habitat at the T09 location) and an additional estimated surface area of c. 150m² to account for individual boulders occurring within heath/acid grassland habitat).





3.2.2 Presence/Absence Search Results

During the presence/absence field surveys Kerry Slug were recorded from Transect No. 1, 2 & 4. One no. specimen was recorded along each of these transects. No Kerry Slug were recorded along transects 3; 5; 6; 7; and 8. The location of the Kerry Slug records are shown on Figure 3.2.

4.0 IMPACT ASSESSMENT

Kerry Slug have been recorded during surveys along Transect 1, 2 and 4 during baseline Kerry Slug surveys. Suitable exposed siliceous rock along these transects are located outside the wind farm footprint. Suitable exposed siliceous rock for Kerry Slug occurs within the construction footprint and the construction of wind farm infrastructure will have the potential to result in the loss of suitable habitat for Kerry Slug. This will occur in mosaic habitats where exposed siliceous rock forms a minor component part of the habitat mosaic with wet heath and acid grassland. The extent of exposed siliceous rock occurring within these mosaic habitats is estimated to be less than 300m², comprised of bedrock outcrops at the proposed wind turbine T09 location (amounting to c. 150m²) and an estimated additional surface area of c. 150m² to account for boulders within heath/acid grassland habitat. Based on the likely extent of habitat loss throughout the Site the impact of habitat loss is likely to be slight and localised as only a small proportion of suitable Kerry Slug habitat within the Wind Farm Site will be impacted, whilst the most extensive areas of exposed siliceous rock occurring within the wider landholding will remain outside of the wind farm footprint and as such unaffected by the Proposed Development. It is noted that the species is known to populate extensive areas of this type of habitat throughout the wider landscape and has a favourable conservation status across its range (NPWS 2025). It is further noted that, in the absence of adequate safeguards the construction phase works could result in the death of individual Kerry Slugs due to machinery movements in areas of suitable habitat. Based upon the results of baseline surveys and the discrete extent of suitable Kerry Slug habitat within the Wind Farm footprint the likelihood of mortality is considered to be low and not having the potential to result in a significant impact to the local population (i.e. the proposed wind farm project is not predicted to have the potential to undermine the local Kerry Slug population). It is further noted that with the implementation of mitigation measures the potential for Kerry Slug mortality will be avoided, whilst the loss of a discrete area of suitable Kerry Slug will be mitigated for through the provision of habitat during the operation phase.

5.0 MITIGATION MEASURES

In order to avoid the potential for mortality to Kerry Slug surveys for the presence of Kerry Slug within the construction footprint will be undertaken. All surveys will be undertaken by the licence holder. The surveys to be undertaken will comprise hand searches and De Sangoose trap surveys within the proposed wind farm footprint. Where individual specimens are identified they will be translocated to adjacent habitat. Translocation receptor habitats are identified as all areas of suitable habitat: siliceous ridges/outcrops shown on Figure 3.2 above. The receptor habitats are comprised of areas with abundant exposed siliceous rock cover. Any specimens present within the construction footprint will be translocated to the nearest receptor habitat as shown on Figure 3.2.

The Kerry Slug surveys to be undertaken within the proposed wind farm construction footprint prior to construction will comprise both hand searches and De Sangoose traps to be placed on exposed siliceous rock using the methods described by McDonnell & Gormally (2011). In addition to placing traps on exposed siliceous rock, ground traps will be placed over vegetation/bare soil on the ground within the Wind Farm Site construction footprint at a distance of 45m from each site of suitable Kerry Slug exposed siliceous rock habitat within the construction footprint. The provision of the ground traps is in line with the approach adopted by Johnston (2016) and the findings of McDonnell & Gormally (2011) who showed that Kerry Slug can move along the ground between suitable habitat sites.

All hand searches and trapping will occur during suitable weather conditions comprising wet, damp, humid and mild conditions.

In advance of construction works all areas of suitable Kerry Slug habitat occurring outside of but adjacent to the proposed wind farm construction footprint will be identified and demarcated on the ground with barrier and signage. No trafficking of plant, personnel or works will be permitted in such areas.

Prior to the commencement of construction a toolbox talk will be delivered to all construction personnel by the Kerry Slug licence holder. The toolbox talk will inform all personnel of the characteristics of suitable Kerry Slug habitat and Kerry Slug identification features. In the event that Kerry Slug is encountered within the construction footprint during works (and subsequent to pre-construction surveys and translocations (as required)), construction activities within 50m of the specimen will cease. The Kerry Slug licence holder will be contacted immediately and

arrangements for immediate translocation by the licence holder will be made. Works will only be permitted to recommence after the specimen has been translocated to the nearest receptor habitat.

In addition to the above measures, Kerry Slug habitat enhancement measures will be implemented during the construction phase that will be maintained for the operation phase of the Wind Farm. The provision of these measures will compensate for the loss of discrete areas of exposed siliceous rock to the footprint of the proposed wind farm project. All boulders occurring within the proposed wind farm construction footprint that support a cover of bryophyte and lichens will be placed along the margin of the construction footprint and will be retained in place along the margin upon completion of the construction phase. The boulders will be maintained in place for the duration of the operation phase. Heathland vegetation cover will be restored within the temporary construction footprint and this will provide for a vegetated ground cover connecting retained boulders along the margin of the permanent Wind Farm infrastructure.

6.0 MONITORING & REPORTING

The results of the pre-construction surveys comprising the number of Kerry Slug translocated from the proposed wind farm site construction footprint and the receptor areas to which each Kerry Slug is translocated to will be detailed in a report to be issued to the NPWS. This report will be issued to the NPWS in advance of the commencement of construction works.

Ongoing monitoring for the presence of Kerry Slug within the construction footprint will be undertaken during the construction phase. This monitoring will be completed on a fortnightly basis for the duration of the construction phase. Any Kerry Slug present within the construction footprint during the construction phase and translocate to adjacent receptor habitat will be recorded. The results of ongoing construction phase monitoring and any translocations will be set out in the licence return form and where necessary accompanying reporting.

Upon completion of the construction phase, operation phase monitoring for the presence of Kerry Slug at the Wind Farm Site and for the occupancy of Kerry Slug habitat to be provided as part of the above mitigation measures will be undertaken. The monitoring will be completed during years 1, 2, 3 and 5 of the operation phase. The monitoring will comprise hand searches and De Sangosse trap surveys as per McDonnell & Gormally (2011). A report detailing the results of the operation phase monitoring will be provided to the NPWS within the calendar

year of each annual round of surveying. In the event that the results of monitoring indicate that the habitat measures as set out in Section 5 above are unsuccessful, the surveyor and author of the annual monitoring reports will be required to set out remedial actions which will be required to be implemented by the Wind Farm operator.

7.0 EVIDENCE TO SUPPORT THE DEROGATION TESTS

The process for the provision of a derogation licence to permit pre-construction surveys and translocation of Kerry Slug to be completed at the proposed Gortloughra Wind Farm Site requires the applicant to meet the requirements of three no. “Derogation Tests”. These tests are titled as follows:

Test 1 – Reason for Derogation

Test 2 – Absence of Alternative Solutions

Test 3 – Impact of a derogation on Conservation status.

The following subsections provide information for each of the 3 no. test.

7.1 TEST 1 – REASON FOR DEROGATION

The derogation licence is sought under the provisions of:

- Regulation 54(2)(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; and

of the Birds and Natural Habitats Regulations, 2011 as amended.

7.1.1 Regulation 54(2)(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 provision of the proposed wind farm project will deliver a renewable energy project that will contribute towards climate goals as set out in the Climate Action Plan which seeks to achieve net zero emissions by, at latest, 2050. The proposed wind farm project is representative of a Renewable Energy Directive (RED III) Project, which mandates renewable energy projects

to be of overriding public interest (see Paragraph 44 of the Renewable Energy Directive (EU) 2023/2413.

It is further noted that Kerry Slug requires protection during the construction phase of the proposed wind farm project. The permission to translocate Kerry Slug locally within the Wind Farm Site prior to and during construction works is representative of a mitigation measure that aims to protect specimens from any loss that may otherwise occur should specimens be present within the construction footprint during works and in the absence of permission to translocate specimens.

Finally it is noted that the activity for which derogation is sought requests permission to locally translocate Kerry Slug in the event that such specimens are present within the construction footprint prior to the clearance of surface vegetation and construction works. The translocation of Kerry Slug, as sought under this licence application, will be in the form of:

1. the collection of individual specimens during hand searches and their immediate translocation to the nearest area of suitable habitat (i.e. exposed siliceous rock, as identified ‘Suitable habitat siliceous ridges/outcrops’ in Figure 3.2) outside the footprint of the Wind Farm construction corridor; and
2. the trapping of Kerry Slug using De Sangosse traps as per the methods set out by McDonnell & Gormally (2011) and their translocation to the nearest area of suitable habitat (i.e. exposed siliceous rock, as identified ‘Suitable habitat siliceous ridges/outcrops’ in Figure 3.2) outside the footprint of the Wind Farm construction corridor

The procedure for translocation of specimens will comprise:

pre-vegetation clearance searches of the proposed wind farm footprint for the presence of specimens to be completed by the licence holder;

collection of specimens, if present, and immediate translocation to adjacent areas of suitable exposed siliceous rock habitat

7.2 TEST 2 - ABSENCE OF ALTERNATIVE SOLUTIONS

Under the do-nothing scenario the opportunity for the provision of a renewable energy project at the proposed wind farm site will not be realised, which in turn will lead to a missed opportunity that would otherwise contribute to the achievement of renewable energy targets and climate goals which are of imperative public interest.

The Gortloughra Wind Farm project has been designed to minimise the loss of preferred Kerry Slug within the Wind Farm footprint. The principal areas of exposed siliceous rock occurring within the Wind Farm Site lie outside the footprint of the proposed wind farm and will not be disturbed as a result of the construction of the Wind Farm. This approach has been adopted to minimise, insofar as possible, the potential for loss of suitable Kerry Slug habitat as well as other semi-natural habitat. Areas of exposed siliceous rock outcrops within the construction footprint occur as a minor component of wet heath and exposed siliceous rock mosaic and wet heath/exposed siliceous rock/acid grassland habitat (i.e. the estimated extent of exposed siliceous rock at the surface within the proposed wind farm footprint is c. 300m²).

No Kerry Slug have been recorded within the area of exposed siliceous rock within the footprint of the project.

Whilst every opportunity has been taken to avoid the loss of suitable Kerry Slug habitat, in order to design a functional Wind Farm layout the loss of a discrete area of exposed siliceous rock is unavoidable.

7.3 TEST 3 – IMPACT OF DEROGATION ON CONSERVATION STATUS

A discrete area of suitable Kerry Slug habitat in the form of exposed siliceous rock (area = c. 300m²) will be lost to the footprint of the proposed wind farm. The impact of this habitat loss to the local Kerry Slug population will be imperceptible given the discrete area to be lost and the abundance of suitable habitat for this species within the Wind Farm Site that will remain undisturbed by the Wind Farm project. The mitigation measure to survey and translocate specimens, which is the subject of this derogation licence application, aims to avoid the loss of any individual specimens during construction works. The mitigation measures that set out requirements for the provision of suitable Kerry Slug habitat, in the form of bryophyte and/or lichen clad boulders along the verge of the permanent Wind Farm infrastructure will compensate for the discrete loss of exposed siliceous rock habitat to the footprint of the proposed wind farm.

8.0 CONCLUSION

Kerry Slug is known to be present in the vicinity of the proposed wind farm site and the baseline hand searches have identified the presence of Kerry Slug within the proposed wind farm site.

The proposed wind farm site will result in the loss of a discrete area of Kerry Slug habitat, estimated to be c. 300m².

No Kerry Slug were identified as occurring within the discrete area of suitable Kerry Slug habitat occurring within the proposed wind farm site.

A small number of Kerry Slug were recorded during the baseline survey (no. = 3).

Mitigation measures have been set out to avoid the accidental loss of any individual Kerry Slug specimens during the construction phase of the Wind Farm Project. Mitigation measures have also been set out to avoid the loss of suitable Kerry Slug habitat to the Wind Farm Project.

This report and the mitigation measures set out therein are provided to demonstrate that proposed Wind Farm Project will not be detrimental to the maintenance of the local Kerry Slug population at favourable conservation status or the maintenance of sufficient habitat suitable for maintaining the local Kerry Slug population. It is intended that this report will be provided in support of an application to the Minister for a derogation licence under Regulation 54 of the *European Communities (Birds and Natural Habitats) Regulations 2011* as amended.

REFERENCE

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