

Derogation under Regulation 54

Application for O'Donnell
Environmental staff to carry out
Kerry Slug surveys

Date: 14/05/2026

O'DONNELL 
ENVIRONMENTAL



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1 Supporting Information

1.1 INTRODUCTION

A Derogation under Regulation 54 is sought to disturb Kerry Slug while conducting survey works. This derogation is being sought to conduct survey work during which there is a likelihood of encountering Kerry Slug.

Hand searches and refuge trap surveys in suitable habitat within the natural range of the Kerry Slug will be carried out using methodologies described in McDonnell & Gormally (2011b) and Reich et al., (2012). The methodology will be applied to on sites, where existing public records and habitats suggest Kerry Slug are likely to be present on site.

1.2 RELEVANT EXPERIENCE

Tom O'Donnell is a Chartered Environmentalist and a full member of the Chartered Institute of Ecology and Environmental Management. He was awarded a BSc in Environmental and Earth System Science [Applied Ecology] in 2007 and an MSc in Ecological Assessment in 2009, both from UCC. Tom has 19 years professional experience in the environmental industry, including working on projects such as windfarms, overhead power lines, roads, cycleways and residential developments.

Oisín O Sullivan is a Senior Ecologist and Associate member of the Chartered Institute of Ecology and Environmental Management (advancement to full membership of CIEEM is currently under review). Oisín was awarded a BSc in Ecology and Environmental Biology at University College Cork in 2020. Oisín has experience in ecological surveys for a large variety of projects including wind farms both onshore and offshore, residential, and linear infrastructure.

Colm Breslin is an Ecologist and a Qualifying member of the Chartered Institute of Ecology and Environmental Management (advancement to full membership of CIEEM is currently under review). Colm was awarded a BSc in Ecology and Environmental Biology at University College Cork in 2023. Colm has experience in bat surveys for a large variety of projects including wind farms, residential, and linear infrastructure.

Claire McCarthy BSc (Hons) MSc is an Associate member of the Chartered Institute of Ecology and Environmental Management. She was awarded a BSc in Biological, Earth and Environmental Sciences [Zoology] in 2018 and an MSc in Marine Biology in 2022, both from UCC. Claire has contributed to the preparation of EIAR and EcIA reports for renewable energy developments

Kelly Shek is a Junior Ecologist at O'Donnell Environmental. She was awarded a BSc (Hons) in Wildlife Biology from MTU Kerry in 2024. Kelly holds Qualifying membership of the Chartered Institute of Ecology and Environmental Management (CIEEM). Kellys experience to date includes habitat walkover surveys, terrestrial and aquatic vegetation surveys, bird surveys, habitat condition assessments and assisting with desk surveys and field surveys.

Freddy Jones is an Ecologist at O'Donnell Environmental. He holds a BSc (Hons) Environmental Science from the University of York, accredited by the Institution of Environmental Sciences, in 2020, and an MSc Ecological Management and Conservation

Biology from Queen's University Belfast in 2023. Freddy is an Associate member of CIEEM. Freddy has over two years of professional experience in the environmental industry. Freddy has carried out surveys and data analysis to support ecological and environmental projects, including large-scale development projects, infrastructure projects, industrial developments, and residential. He has coordinated Environmental Statements, including authoring chapters, and produced EIAR, EclA and AA/NIS reports.

1.3 BACKGROUND TO PROPOSED ACTIVITY

O'Donnell Environmental staff in their role as consulting Ecologists, methodologies described in the introduction will be required during surveys where there is confirmed presence or a likelihood to encounter Kerry Slug. This licence is required in day-to-day work to survey and research Kerry Slug potentially encountered while surveying within their natural range. These surveys are intended for the best interest of wildlife to better help developers comply with National and EU legislation.

1.4 DEROGATION TESTS

<i>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.</i> O'Donnell Environmental staff seek a derogation under Regulation 54 for the disturbance of Kerry Slug during survey work. This licence application is intended to be year-round for survey work within the natural range of Kerry Slug. These surveys are intended for the best interest of wildlife to better help developers comply with National and EU legislation. Alternative solutions were considered, and none are available in this instance. The alternative 'do-nothing scenario' in this instance is remaining without licence to appropriately survey the presence and relative abundance of Kerry Slug. Surveys would therefore required to be non-invasive. The results from non-invasive surveys may lead to inaccurate results numbers and resultant improper assessment mitigation. This would serve to potentially negatively impact Kerry Slug populations.	☒
<i>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.</i> Under the actions of this licence, if granted, appropriate and thorough survey of Kerry Slug will be facilitated. This will ensure the appropriate level of mitigation is applied to developments based on the high-confidence of results gathered. It is considered with best available information that the proposal will not be detrimental to the maintenance of the Kerry Slug at a favourable conservation status in their natural range and that the proposal will not have a detrimental effect on Kerry Slug populations.	☒

The refuge traps are a non-invasive monitoring method that will be used temporarily, and no slugs will be collected, translocated or removed.	
<i>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.</i> There are no site-specific measures or specific resting location for which this application applies to. All surveys carried out will be non-destructive and minimally invasive, with cognisance to guidelines and methodologies set out in McDonnell & Gormally (2012b) and Reich et al., (2012). As mentioned previously no translocation or removal of individuals will be carried out during surveys conducted.	☒
<i>As much information as possible to allow a decision to be made on this application.</i> Full information is outlined in this supporting document, and this information is considered valid and represents the best available data.	☒

1.5 MONITORING IMPACTS OF DEROGATION

Monitoring the impacts of this derogation will be done through standard submission of derogation returns. During standard reporting of survey works undertaken with use of this derogation the results will show the level of disturbance under the derogation in methodology sections.

