



Ballyhigh, Effin,
Kilmallock, Co. Limerick.

05/12/2024

Wildlife Licensing Unit,
Department of Housing, Local Government and Heritage
National Parks and Wildlife Service
Wildlife Licensing Unit, R. 2.03
90 North King Street
Smithfield
Dublin 7 D07 N7CV

RE: Application for Licenses to

- (i) Disturb Kerry Slug (*Geomalacus maculosus*) site of County Importance and;**
- (ii) Capture and handle Kerry Slug.**

Dear Sir/Madam,

Ecology Ireland Ltd. has been engaged by Ørsted Onshore Ireland Midco Ltd (Ørsted) in relation to the proposed repowering of the existing Kilgarvan wind farm. Ørsted intend to apply to An Bord Pleanála for planning permission to remove the existing 28 no. turbines, replace them with 11 no. wind turbines, and upgrade the associated infrastructure on the existing Kilgarvan Wind Farm site in the townlands of Inchincoosh, Lettercannon, Inchee, Coomacullen, Inchamore, and Cloonkeen in County Kerry (See Figure 1). Ørsted intend to apply for a 35-Year Planning Permission for the proposed 11 no. wind turbines. Ecology Ireland was commissioned to carry out a range of ecology surveys at the site since 2018, in order to inform the Environmental Impact Assessment Report (EIAR) and Natura Impact Assessment (NIS), that will be submitted as part of the planning permission for the proposed development.

As part of the ecological surveys completed since 2018, Kerry Slug was found to be common and widespread within the existing Kilgarvan wind farm site, recorded during nearly every site visit. The species was abundant, particularly within open areas of the site such as exposed siliceous rock and hard standing areas of existing turbines, as well as on the rocky roadside verges of internal roads. Spot checks along the conifer edge carried out during active bat survey visits failed to record this species in the areas of conifer plantation within the site. The population of Kerry Slug at the existing

wind farm appears to be in robust state that has persisted during the construction and operation of the existing wind farm. The site is considered to be of County importance for the species.

This species has a restricted distribution in Ireland and is listed on Annexes II and IV of the EU Habitat's Directive and is protected under the Wildlife Acts. This species is primarily found within habitats such as deciduous woodland, blanket bog, wet heath and lake shores associated with old red sandstone strata (Reich et al., 2012). This species is found throughout Killarney National Park, Macgillycuddy's Reeks & Caragh River Catchment SAC of which it is a qualifying interest species. The SAC is located at a minimum distance of 0.1km from the EIAR study area, 1.6km from the nearest turbine repowering location. The Kerry Slug population within Kilgarvan wind farm are located outside of the SAC and are therefore considered to be a local population of the species. The proposed mitigation measures outlined below are in relation to the local population of Kerry Slug within Kilgarvan wind farm only.

During the construction phase, it is proposed to upgrade 4 existing turbine hardstandings for use, utilise 1 no. existing hardstanding for the temporary site compounds, as well as construct 7 no. new turbine hardstandings. Additionally, 17.9km of the existing road network will be upgraded which will involve excavation works along the edges of the existing network. While these artificial habitats (*i.e.*, the existing internal roads and turbine hard standings) are not considered optimal habitat for this species, the construction phase of the proposed development will result in the habitat loss for Kerry Slug within the proposed development site. Furthermore, during the construction phase, there will be works (excavation, movement of machinery, vegetation clearance, etc.) associated with the construction of the proposed turbine hardstandings and internal road upgrades *i.e.*, where Kerry Slug was regularly recorded within the site. These works could lead to the disturbance of, or direct loss of Kerry Slug within the proposed development site, resulting in locally significant negative impacts on this species. There is considered to be very limited potential for operational phase impacts on Kerry slug during the operational phase of the proposed development. Overall, there is considered to be potential for significant effects on the local population of Kerry Slug within Kilgarvan Wind Farm as a result of habitat loss or disturbance/direct mortality during the construction phase of the proposed development, without the implementation of appropriate and site-specific mitigation measures.

Due to the unavoidable disturbance of Kerry Slug habitat a derogation license is being sought prior to the commencement of construction. Furthermore, the derogation licence is necessary as Kerry Slug handling will be required to reduce direct mortality of Kerry Slug during the construction phase. Mitigation measures to be implemented in order to avoid significant negative effects to this local population of Kerry Slug are outlined below. These mitigation measures will be included as part of the EIAR, NIS and CEMP for the proposed development.

- Works that could directly or indirectly impact upon Kerry Slug will not commence without the necessary derogation licence in place;
- Works will be carried out in compliance with any conditions set by such the license;
- To minimise effects on Kerry Slug areas of suitable habitat that occur outside of the footprint of the development shall be avoided during the course of construction thereby minimising the loss and disturbance of Kerry Slug habitat;
- Immediately prior to undertaking works in areas of suitable habitat, the ECoW, or nominated specialist, will check for the presence of Kerry Slug;
- The preferred method shall be hand-searching. Should slugs be discovered then they will be transferred to suitable habitat identified outside of the works footprint;
- Throughout construction, monitoring of suitable habitat within works areas will continue using a combination of metric traps and regular hand-searching;
- Hand-searching will be undertaken during periods of wet weather when slugs are most active and feeding on the surface and therefore at greater risk of impacts e.g. from site traffic;
- A Kerry Slug survey will be carried out in the first year of operation including in areas which have been translocated and a report of the survey results will be prepared for the information of the Planning Authority, Kerry County Council and NPWS.

We therefore seek licenses to:

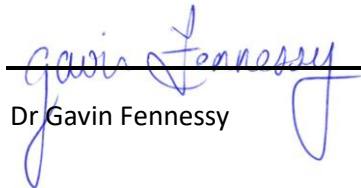
1. Potentially capture and handle Kerry Slug during ecological supervision of the construction phase of the proposed development, as afforded by Section 23 (6) of the Wildlife Act (as amended).
2. Disturb Kerry Slug habitat as afforded by Article 16 of the EU Habitats Directive, at Kilgarvan Wind Farm, Co. Kerry, as part of the proposed development.

The derogation licence to capture and handle Kerry Slug (1) is the only available option for works. However, no detrimental effects 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, as outlined in Section 11 of the derogation licence application, are expected as a result of capturing and handling these species. It has been determined that the mitigation measures outlined above (undertaken during periods of wet weather, hand-searching, immediate translocation, continuous monitoring, ECoW/Nominated Specialist, etc.) will minimize/avoid significant disturbance of Kerry Slug.

The derogation licence to disturb Kerry Slug habitat (2) is the only available option for works. As outlined above, the proposed development will require the loss of existing internal roads and turbine hard-standings in order to facilitate the construction of the proposed development and no suitable alternative exists. However, these areas are sub-optimal habitat with more suitable habitat available in the wider environment. The methodology outlined for capturing/handling this species will minimise/avoid significant disturbance of Kerry Slug.

The measures proposed will minimise the risk of any disturbance to Kerry Slug and follow standard best practice. If you require any more information in relation to this application, please contact the undersigned.

Yours sincerely,

A handwritten signature in blue ink, reading 'Gavin Fennessy', is written over a horizontal line. Below the line, the text 'Dr Gavin Fennessy' is printed in a black, sans-serif font.

References

NPWS. 2010. Threat Response Plan - Kerry Slug *Geomalacus maculosus*. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government, Dublin.

Reich, I., O'Meara, K., Mc Donnell, R.J. and Gormally, M.J. 2012. An Assessment of the Use of Conifer Plantations by the Kerry Slug (*Geomalacus maculosus*) with Reference to the Impact of Forestry Operations. Irish Wildlife Manuals, No. 64. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Ireland.

Figure 1. Site Map

