



NPWS

An tSeirbhís Páirceanna
Náisiúnta agus Fiadhúlra
National Parks and Wildlife
Service

Application for Derogation

Under Regulation 54 & 54A of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended

Revision 2.0 – July 2025

- This form can be used by any individual or Company applying for a derogation under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011 (“the Regulations”) or any individual applying on behalf of the Minister for Housing, Local Government and Heritage under Regulation 54(A) of the Regulations.
- Note this application form is not for Domestic Dwelling Derogations (bats within private homes) which can be found here > ([3D Application Form](#))
- Please ensure that you answer questions fully in order to avoid delays and/or your application being rejected on the basis that it does not contain sufficient information and detail for the application to be considered further.
- Please read and familiarise yourself with the [NPWS Guidance on Applications for Regulation 54 Derogations for Annex IV species: Guidance for Applicants](#)
- Please read and familiarise yourself with the [European Commission's Guidance document on the strict protection of animal species of Community interest under the Habitats Directive](#)
- Please also note that the responses to these questions are supplementary to the documentation required for the NPWS to be in a position to consider your application. A complete application should include both the application form and an associated report. Failure to supply either will result in your application being returned and/or refused.
- In circumstances in which a derogation is given on foot of this application, the Applicant is responsible for ensuring compliance with the conditions of any such derogation, even though they may employ another person to act on their behalf. To carry out any activity without, or not in accordance with, a derogation granted under regulation 54 or 54A of the Regulations constitutes a criminal offence, subject to prosecution.
- If you experience any problems filling in this form, please contact the Wildlife Licensing Unit: reg54derogations@npws.gov.ie
- Please note – applications, associated reports and derogations will be published on the NPWS website and/or the Department's Open Data website.
- Where any applicant is applying for a derogation to carry out surveys, please ensure to list all qualified ecologists and trainees under their supervision. See section 1(c) of Part A.

Part A: The Applicant - Personal Details

These questions relate to the person responsible for any proposed works and who will be the **Applicant**.
If this application is being submitted on behalf of a third party, please also complete Part B below.

1. (a) Name of Applicant

Title (Mr/Mrs/Miss/Ms/Dr)	Forename(s)	Surname
	Neansai	O'Donovan
(b) Company Name, if applicable	MKO	
(c) Address Line 1	Tuam Road	
Address Line 2		
Town	Galway	
County	Galway	
Eircode	H91VW84	
(d) Contact number	0872778152	
(e) Email address	nodonovan@mkoireland.ie	
(f) Address where works are to be carried out if different from (b) above.		
Address Line 1	Cummeenabuddoge and Caherdowney	
Address Line 2		
Town		
County	Cork and Kerry	
Eircode		

Details of Person Submitting Application on Behalf of Applicant/Derogation Holder

Information relating to the person (e.g. ecologist) responsible for submitting the application on behalf of the applicant should be entered below:

1. (b) Name of Person/Ecologist

Title (Mr/Mrs/Miss/Ms/Dr)	Forename(s)	Surname
(b) Company Name		
Address Line 1		
Address Line 2		
Town		
County		
Eircode		
(c) Contact number		
(d) Email address		
(e) Relationship to Applicant		

For Survey Derogations Only

**1. (c) Please Indicate the Names to Appear on the Derogation Along with the Position Held
e.g. Supervisor/Trainee**

Forename(s)	Surname	Supervisor or Trainee
Neansai	O'Donovan	Supervisor
Viorel	Anitei	Supervisor
Pádraig	Desmond	Supervisor
Jack	Coffey	Trainee
Malena	Thren	Trainee
Adam	Scott	Trainee
Cuan	Feely	Trainee

Part B: Species covered by the Derogation

1. **Species of Animal:** Please indicate which species is/are the subject of the application:

- Bat ☐
- Otter ☐
- Kerry Slug ☒
- Natterjack Toad ☐
- Dolphin ☐
- Whale ☐
- Turtle ☐
- Porpoise ☐

2. Please detail the exact species (scientific name): Kerry Slug (*Geomalacus maculosus*)

3. Please provide the maximum number of individuals affected*

4. Please provide the maximum number of breeding or resting sites affected*

5. Please provide the maximum number of eggs to be taken*

6. Please provide the maximum number of eggs to be destroyed*

*If no figures can be provided for the maximum number of individuals, breeding sites, resting places and eggs to be covered by the derogation please provide reasons why.

5 kerry slugs were found in the most recent survey in the vicinity of the permitted development footprint, undertaken between November 2022 and January 2023. No Kerry slugs were recorded within the development footprint. A survey to inform the planning application 19/4792. Numerous slugs were recorded, with no exact number given. Therefore, no exact numbers can be provided.

7. **Species of Plant:** Please indicate which species is/are the subject of the application:

- Killarney Fern ☐
- Slender Naiad ☐
- Marsh Saxifrage ☐

8. If you previously received a derogation for any species of animal or plant, please state derogation number and confirm that you have made a return to NPWS on the numbers actually affected by that derogation.

C62/2022 -31ST AUGUST 2022
C135/2022 – 29TH OCTOBER 2022
C126/2022 (EXTENSION) – 30TH APRIL 2023
C178-2023 – 1ST OCTOBER 2023
C168-2023 – 1ST OCTOBER 2023
C135/2022 – 29TH AUGUST 2022
DER/BAT 2022-73 – 3RD JUNE 2023
DER/BAT 2021-23 – 18TH MARCH 2022
DER/BAT 2022-110 – 30TH AUGUST 2023
DER/KERRY SLUG-2022-137 (EXTENSION) 31ST JANUARY 2023

DER/KERRY SLUG-2023-45 (EXTENSION) 10TH JULY 2023
 33-2023 – 31ST DECEMBER 2023
 34-2023 – 31ST DECEMBER 2023
 C106/2024 - 31ST DECEMBER 2024
 C012/2025 - 31ST DECEMBER 2025
 DER/KERRY SLUG-2025-03 - 31ST DECEMBER 2025

- 9. Proposed Dates for Activities:** Please indicate the timeframe that you propose to carry out the activities. Dates set by NPWS may differ from dates proposed here. *A derogation will only be issued with a start and end date within a calendar year.*

Start Date: 20th August 2025
 End Date: 31st December 2025

Part C: Nature of the Derogation.

1. Please tick which prohibition(s) the application for a derogation relates to:

Regulation 51	
Deliberately capture or kill any specimen of the relevant species in the wild	<input checked="" type="checkbox"/>
Deliberately disturb these species particularly during the period of breeding, rearing, hibernation and migration	<input type="checkbox"/>
Deliberately take or destroy eggs of the relevant species in the wild	<input type="checkbox"/>
Damage or destroy a breeding or resting place of such an animal, or	<input type="checkbox"/>
Keep, transport, sell, exchange, offer for sale or offer for exchange any specimen of the relevant species taken in the wild, other than those taken legally as referred to in Article 12(2) of the Habitats Directive.	<input type="checkbox"/>
Regulation 52	
Deliberately pick, collect, cut, uproot or destroy any specimen of these species in the wild, or	<input type="checkbox"/>
Keep, transport, sell, exchange, offer for sale or offer for exchange any specimen of these species taken in the wild, other than those taken legally as referred to in Article 13(1)(b) of the Habitats Directive.	<input type="checkbox"/>

Further information should be provided in the format set out in Part E: Template for Supporting Information

Part D: Derogation Tests

Note: The following summary information must be provided by the applicant in all cases, and will be used to determine if a derogation can be provided. Further information must be provided in the format set out in Part E: Template for Supporting Information

Test 1: Reason for the Derogation

1. Please tick which reason(s) below explains how this application qualifies under Regulation 54(2)(a-e) or Regulation 54A(2)(a-e) of the European Communities (Birds and Natural Habitats)

Regulations: Please provide a summary of how the application meets the 3 conditions required to provide a derogation. Note that in all cases additional information must be provided (see Part E).

a.	In the interests of protecting wild flora and fauna and conserving natural habitats (proceed to 2a)	<input type="checkbox"/>
b.	To prevent serious damage, in particular to crops, livestock, forests, fisheries and water and other types of property (proceed to 2b)	<input type="checkbox"/>
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 (proceed to 2c)	<input checked="" type="checkbox"/>
d.	For the purpose of research and education, of re-populating and re-introducing these species and for the breeding operations necessary for these purposes, including artificial propagation of plants (proceed to 2d)	<input type="checkbox"/>
e.	To allow, under strictly supervised conditions, on a selective basis and to a limited extent, the taking or keeping of certain specimens of the species to the extent specified therein, which are referred to in the First Schedule (proceed to 2e)	<input type="checkbox"/>

2a. In the interests of protecting wild flora and fauna and conserving natural habitats:

i) Please state the wild flora, fauna or habitats that require protection and /or conservation.

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ii) Please summarise how the interests of protection and conservation of the species/habitat concerned justify affecting another species under strict protection.

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2b) To prevent serious damage, in particular to crops, livestock, forests, fisheries and water and other types of property:

i) Please summarise the nature of the potential damage, why it is considered “serious” and how this outweighs the conservation interest of the species under strict protection.

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2c) 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:

- i) Where the reason is for public health and public safety, summarise the evidence provided to support this reason (e.g. documentary evidence of the risk from a chartered structural engineer, tree surgeon, Garda Síochána, qualified health professional etc.)

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- ii) Where the reason is 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”, summarise the nature of the public interest and how this outweighs the conservation interest of the species under strict protection.

The derogation licence is required to comply with mitigation measures as set out in the relevant planning applications. The permitted development is required to support sustainable development, renewable or green energy, comply with national planning policies, and support economic or social developments in the form of a nationally important infrastructure development project. The construction of the wind farm, solar energy production, and suitable connection to provide the national grid with renewable energy 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.

2d) For the purpose of research and education, of re-populating and re-introducing these species and for the breeding operations necessary for these purposes, including artificial propagation of plants:

- i) Please summarise the objective(s) of the proposed activities making reference to those listed above and how the the purpose of such activities overrides the interests of strict protection of the species. ¹

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¹ Note that this reason may be appropriate for when research involves surveys that may cause disturbance of species under strict protection. But the sole purpose of the surveys should be for research and education or the other reasons listed above under 1d.

2e) To allow, under strictly supervised conditions, on a selective basis and to a limited extent, the taking or keeping of certain specimens of the species to the extent specified therein, which are referred to in the First Schedule

i) Please clearly state the objective of the activity and verify that this reason is being chosen as the objective of the activity does not match reasons a-d listed above.

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ii) Please summarise how the activity will result in the taking or keeping of limited numbers of specimens of the species, how it will be applied on a selective basis and to a limited extent, and how it will be done under strictly supervised conditions.

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Test 2: Absence of Alternative solutions

2. Please summarise the alternative solutions that have been considered and why these solutions are deemed unsatisfactory. This must include the option of the “do-nothing” alternative and evidence should be objective and robust. Note that in all cases further information must be provided in the format set out in Part E: Template for Supporting Information.

Alternative Solution	Reasons for “Unsatisfactory”
Do-Nothing	The ‘do-nothing’ alternative would imply that the windfarm will be constructed without undertaking the necessary translocation measures for Kerry Slug, which will most likely result in a direct negative impact and loss of individuals of the local Kerry slug population. This is unsatisfactory as it is legally required to obtain the derogation licence and follow the mitigation measures set out.
Do not build the permitted development	The other alternative would be to not construct the planned renewable energy development; however this would exclude the opportunity to harness renewable energy and remove a vital contribution to the national and European plans to increase the production of

	renewable energy. Therefore, the only satisfactory alternative is to undertake a search and translocation of Kerry slug to reduce impacts on the Kerry slug and to fulfil the mitigation measures during the construction, and legal requirements of this vital infrastructural permitted development.

* Please insert additional rows above if needed

Test 3: Impact of a Derogation on Conservation Status

3. Please summarise the possible impacts on the population of the species that is subject to this application, taking into account all the mitigation and/or compensation measures that are to be undertaken. Evidence that such mitigation has been successful elsewhere should be provided where relevant. Mitigation measures being relied upon must ensure that the derogation 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. Note that in all cases further information must be provided in the format set out in Part E: Template for Supporting Information.

The licence application for surveying and translocation is to ensure that any Kerry slugs within the works area are translocated to a suitable similar nearby habitat to ensure no species are harmed during the works and that the species can maintain a favourable conservation status. The site is located within the core distribution range of the Kerry slug in Ireland (Reich et al. 2012) and is situated within a larger landscape which contains significant suitable habitat for the species. Suitable habitat for the Kerry slug is available within and surrounding the permitted development site.

Whilst the loss of these habitats would have a direct and significant impact on the individuals involved, the permitted development will not result in a significant loss of habitat for the species at a population level. Given the scale of the project and the presence of suitable Kerry slug habitat in the wider landscape, this loss is unlikely to have an impact outside of the works footprint.

Chapter 5 of the EIAR submitted for planning application 19/4972 states ‘Any population that may be found within the study site is not likely to be associated with a SAC designated population. 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). In addition, the study site is isolated from the SAC through barriers caused by the Flesk River to the north and the N22 to the west.’

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).

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Part E: Template for Supporting Information

This application form should provide a summary of the evidence that the applicant has provided. In all cases, it is necessary to provide separate supporting information so that the assessment of the application can be undertaken in a robust and comprehensive manner. Applicants should refer to guidance provided by the NPWS and the European Commission whilst preparing this application form and the supporting information.

It is essential that supporting information is prepared in a consistent manner using the template below so that NPWS officials assessing the application can locate the relevant evidence to determine if the three Tests can be met. Failure to provide sufficient evidence will result in the application being refused.

The structure of the Supporting Information should be as follows:

- 1) Table of Contents
- 2) Introduction
 - a. Objective of the proposed works (for example, as part of construction of a national road, repair of roofing, undertaking surveys etc.)
 - b. Name, qualifications and relevant experience of scientific staff, including trainees, (e.g. ecologist) involved in the preparation of the application and those responsible for carrying out the proposed activity.
 - c. If this application is for the carrying out of surveys that may cause disturbance, qualifications of all involved must be provided and trainees must be clearly identified.
- 3) Background to proposed activity including location, ownership, type of and need for the proposed activity, planning history, policy context, zoning in relevant Development plan (or equivalent), etc.
- 4) Full details of proposed activity to be covered by the derogation (including a site plan). The site may be inspected by an NPWS representative, so the details given should clearly reflect the extent of the project. This information will be used to compare site conditions with the Method Statement.
- 5) Ecological Survey and site assessment (Not required for applications to carry out surveys)
 - a. Pre-existing information on species at location and environs.
 - b. Status of the species in the local/regional area (relevant to the consideration of the impact on the population at the relevant geographic scale (Test 3))
 - c. Objective(s) of survey
 - d. Description of Surveys Area
 - e. Survey methodology (including evidence as to how the methodology represents best practice and is appropriate to the Objective). Methodology should include survey maps, details of timing, climate, equipment used and identify any uncertainties or difficulties encountered.
 - f. Survey results including raw data, any processed or aggregated data, and negative results as appropriate. Photographs and maps must be provided where site-specific features are referred.
 - g. Population size class assessment.
- 6) Evidence to support the Derogation Tests
 - a. Test 1 - Reason for Derogation:
 - i. There should be a clear explanation as to why a specific reason(s) has been selected in the application form.

- ii. Applicants are advised to read the guidance published by the NPWS '[Guidance on Applications for Regulation 54 Derogations for Annex IV species: Guidance for Applicants](#)' with specific reference to Section 3.1.
- b. Test 2 - Absence of Alternative Solutions
 - i. Applicants must list the alternatives to the proposed activity that have been considered, including the do-nothing alternatives in a clear and objective manner. A basic requirement is that these alternatives should be compared in terms of their impact on the species subject to strict protection. It should be clear to NPWS officials as to why the chosen approach has been selected.
 - ii. Applicants are advised to read the guidance published by '[Guidance on Applications for Regulation 54 Derogations for Annex IV species: Guidance for Applicants](#)' with specific reference to Section 3.2.
- c. Test 3 - Impact of a derogation on Conservation Status
 - i. Applicants should include details of the population at the appropriate geographic scale and an evaluation of how the proposed activity will affect the conservation status both before and after mitigation measures have been applied.
 - ii. Full and detailed descriptions of proposed mitigation measures that are relevant to the potential impact on the target species. Evidence that such mitigation has been successful elsewhere should be provided, where available.
 - iii. Applicants are advised to read the guidance published '[Guidance on Applications for Regulation 54 Derogations for Annex IV species: Guidance for Applicants](#)' with specific reference to Section 3.3.

7) Monitoring the impacts of the derogations

- a. Applicants must include details of how they propose to verify whether the derogations have been implemented correctly and whether they achieved their objective, using scientifically based evidence, and, if necessary, how the applicant will take corrective measures where required.
- b. Applicants should provide details of proposed reports to be submitted to the NPWS including the results of monitoring.
- c. Applicants are advised to read the guidance published by the European Commission "[Guidance document on the strict protection of animal species of Community interest under the Habitats Directive](#)" with specific reference to Section 3.4.

Part F. Declaration

I declare that all of the foregoing particulars are, to the best of my knowledge and belief, true and correct. I understand that the deliberate killing, injuring, capturing or disturbing of protected species, or damage or destruction of their breeding sites or resting places or the deliberate taking or destroying of eggs is an offence without a derogation and that it is a legal requirement to comply with the conditions of any derogation I may be granted following this application. I understand that NPWS may visit to check compliance with a derogation.

Please note that under Regulation 5 of the European Communities (Birds and Natural Habitats) Regulations 2011-2021 an authorised officer may enter and inspect any land or premises for the purposes of performing any of their functions under these Regulations or for obtaining any information which they may require for such purposes.

Signature of the Applicant

Neansaí O'Donovan

Date

18/08/2025

Name in BLOCK LETTERS

NEANSAÍ O'DONOVAN

PRIVACY STATEMENT

See Privacy Statement at www.npws.ie/licences

npws.ie

Department of Housing, Local Government and Heritage



An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreachta
Department of Housing,
Local Government and Heritage

Kerry Slug Derogation Licence Application Supporting Information

Knocknamork Construction
Compliance





DOCUMENT DETAILS

Client: **Ghrian Energy Limited**

Project Title: **Knocknamork Construction Compliance**

Project Number: **240943**

Document Title: **Kerry Slug Derogation Licence Supporting Information**

Document File Name: **DER license report -F - 2025.08.18 - 240943**

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1. INTRODUCTION

1.1 Objective of the Proposed Works

This report has been provided in support of an application for a 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 permitted Knocknamork Renewable Energy Development and Grid Connection. This development has been permitted by An Coimisiún Pleanála (ACP, previously known as An Bord Pleanála (ABP)) under ABP 314275 and 317406, and Cork County Council (CCC) and Kerry County Council (KCC) (19/4972, 22/5791, 22/816 and 23/4455), with the final planning permission received from ACP on the 23rd of January 2024.

1.2 Statement of Authority

Supervisors

This derogation licence is applied for by 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.

Pádraig Desmond (B.Sc. Ecology and Environmental Biology), MKO Project Ecologist, over 4 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).

Trainees

Jack Coffey (B.Sc. Applied Plant Biology), MKO Ecologist with over 2 years' experience and is envisaged to be trained in Kerry Slug surveying under the guidance of Neansaí O'Donovan, Pádraig Desmond and Viorel Anitei. Jack has specialist knowledge in Ecological Clerk of Works (ECOW) management covering day-to-day monitoring, oversight, auditing and reporting of the implementation of all planning and environmental requirements for on-site wind farm developments covering large scale projects nationwide. Jack routinely undertakes pre-commencement surveys for mammals, invasive species surveys and habitat surveys.

Adam Scott (B.Sc. Environmental Science), 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, Pádraig Desmond and Viorel Anitei. Adam is specialised as ECoW, routinely overseeing

medium and large sized infrastructural projects. Adam routinely undertakes pre-commencement surveys for mammals, invasive species surveys, habitat surveys and has been trained in the surveying of lizards (*Zootoca vivipara*).

Malena Thren (B.Sc. Environmental Science), MKO Ecologist with over 1.5 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. Malena Thren specialises in biodiversity management, nature restoration and routinely undertakes multidisciplinary walkover surveys, pre-commencement surveys for mammal and habitat mapping. Malena has been trained in the surveying of lizards (*Zootoca vivipara*).

Cuan Feely (B.Sc. Environmental Science), MKO Ecologist, has over one year's 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. Cuan is experienced in undertaking Appropriate Assessment and Screenings and routinely undertakes multidisciplinary walkover surveys, pre-commencement for mammal surveys and habitat mapping.

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 permitted development of the Knocknamork Renewable Energy Development consisting of 7 no. wind turbines, up to 70,000m² Solar Photovoltaic Array, 110kV electrical substation, underground electrical cabling (33kV and 110kV), road and junction upgrades, new access roads, tree felling, borrow pits and associated works (Permitted Development). The permitted development will be undertaken by Ghrian Energy Limited, on private land where landowner permission has been granted.

This development has been permitted by ACP under (ABP 314275 and 317406, and CCC and KCC (19/4972, 22/5791, 22/816 and 23/4455), with the final planning permission received from ACP on the 23rd of January 2024. The permitted development will be located in the townlands of Cummeenavrick, Glashacormick, Clydaghroe, and Cummeenabuddoge, County Kerry and the townlands of Slieveragh, Coomnaclohy, Caherdowney, County Cork.

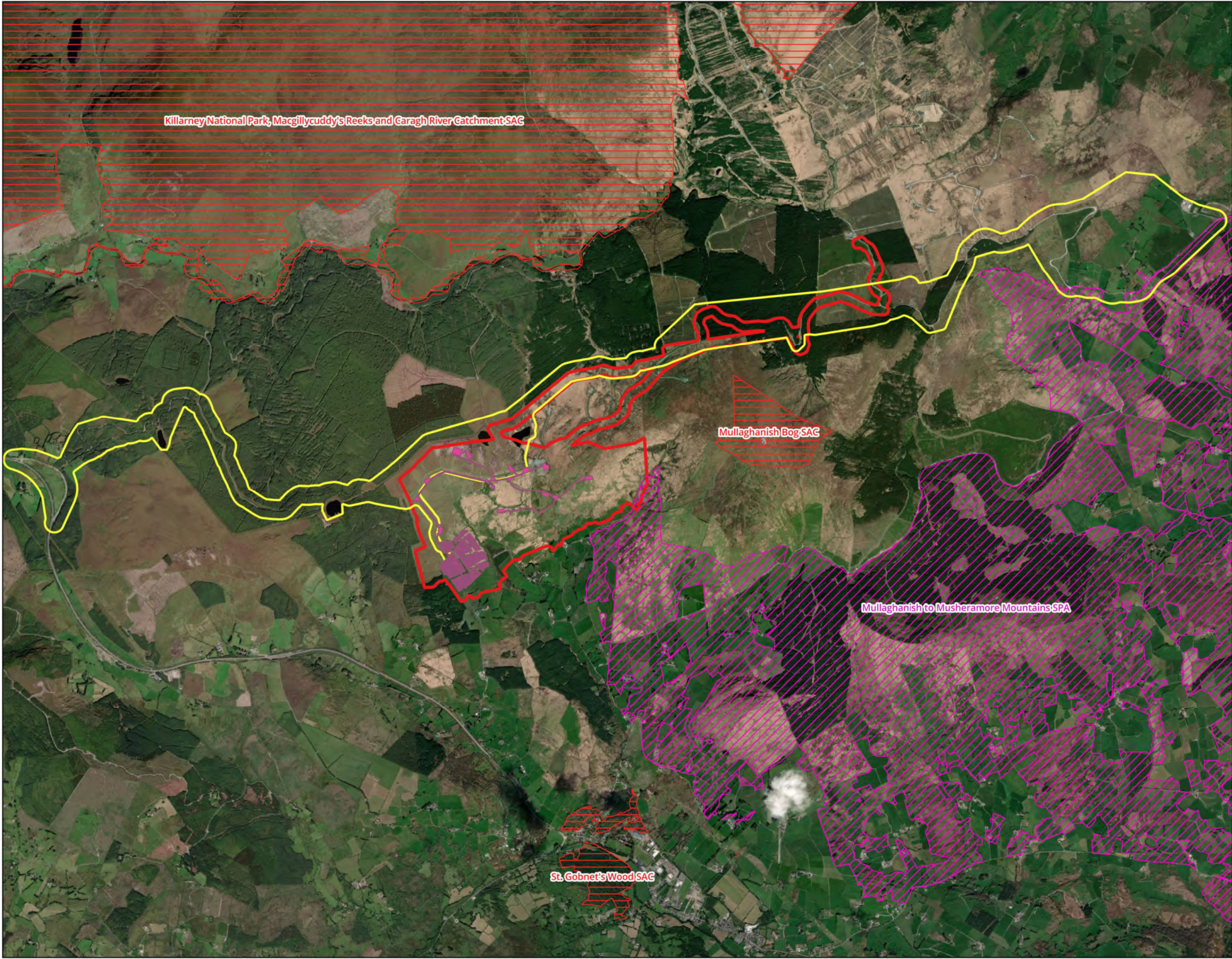
The main infrastructure of the development will be in the townlands of Cummeenabuddoge and Caherdowney. The site location is shown in the context of European Designated Sites in Figure 1-1.

The permitted development will provide renewable energy to the national grid from wind and solar energy sources. This development will progress Ireland towards its renewable energy targets as set out in global pledges sets as the Paris 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 permitted 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 24.51 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 19/4972 across peatland, grassland and conifer plantation habitats.

Felling has been permitted under Felling Licences TFL01060024 (felling of 2.29 ha) and TFL01060224 (felling of 21.39 ha). Felling Maps and harvesting management plans can be found in Appendix 1.



Map Legend

- Special Area of Conservation
- Special Protection Area
- CCC Pl. Ref 19/4972
- Infrastructure Layout
- EIAR Site Boundary
- ACP Pl. Ref. 317406/314275
- Kerry Slug Survey Extent

Microsoft product screen shots reprinted with permission from Microsoft Corporation

NO

Site Location

Knocknamork Construction Compliance

Drawn By MT	Checked By NOD
Project No. 240943	Drawing No. Figure 1-1
Scale 1:35,000	Date 2025-08-18

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2.

ACTIVITIES TO BE COVERED UNDER DEROGATION

The derogation licence will cover translocation works during the construction stage of the permitted development, in line with mitigation set out in the planning applications, the Kerry slug management plan (as completed for (KCC (22/816), CCC (22/5791), and ACP (ABP-314275, 317406)) and CEMP, to mitigate negative impacts on Kerry slugs. The site layout is shown in Figure 1-1 above.

2.1

Kerry Slug Specific Mitigation Measures

During the construction phase of the permitted windfarm development, including the permitted felling works, the construction corridor will be kept to a minimum to avoid direct habitat loss for Kerry slug.

Prior to undertaking works in areas of suitable habitat, translocation will be employed to avoid and minimise a direct impact on the species. Translocation to suitable habitat in the surrounding area will be employed to avoid and minimise a direct loss of individuals. Where suitable habitat occurs, Kerry slugs will be translocated within a 50-metre buffer of the construction corridor.

Monitoring of Kerry Slug in the areas adjacent to the site works will be undertaken to provide a before-after impact assessment. This will ensure that populations remain stable post-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 3-1) 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 permitted 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 permitted 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 permitted development footprint will be clearly marked to prevent any inadvertent encroachment on Kerry Slug habitat where it is located adjacent to the works areas.
- Where felling is required, tree stumps will be left in place where possible to provide suitable habitat for Kerry slug. Turves and boulders/ exposed rock will be stored adjacent to the permitted development footprint where practicable before reinstatement to maintain/create suitable habitat for the species in the vicinity of the works during construction.
- Should Kerry slugs be found in the works areas during the construction phase they will be relocated by the appointed qualified/licenced ecologist to suitable habitat as described above.

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).

2.2

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.

Translocation

Prior to undertaking works in areas of suitable habitat, translocation of Kerry slugs to suitable habitat in the surrounding area will be employed to avoid and minimise any direct negative impact on the species. Translocation will follow the methodology as set out below and as set out in the Kerry slug management plan (see Appendix 2):

- In advance of any works, areas of exposed rock, and suitable trees along and adjacent to the permitted development footprint will be selected by a qualified and licenced ecologist for the promotion and presence of moss and lichen growth and thus provide suitable feeding habitats for Kerry Slug. The selected rocks (if present) will be painted with a mix of yoghurt (to encourage lichen growth), inoculated with lichens, and some mosses found in the vicinity. These areas will be fenced off using post and rope fencing so that the areas will not be disturbed during any future site maintenance. These selected enhancement areas will be monitored (photos taken yearly for three years) during ongoing/all future surveys as part of post construction monitoring. Results will form part of yearly compliance reporting.
- 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.
- Where suitable habitat occurs, Kerry slug will be translocated within a 50-metre buffer of the construction corridor.

3.

ECOLOGICAL SURVEY AND SITE ASSESSMENT

3.1

Background

It was the objective of surveys undertaken for the permitted development to inform the relevant planning applications and further information requests to exclude significant impact on the Kerry slug.

The survey area included the Environmental Impact Assessment Report (EIAR) study area for planning application 19/4972 and the Development footprint and adjacent suitable habitat for applications to KCC (22/816), CCC (22/5791), and ACP (ABP-314275, 317406).

All surveys were undertaken in suitable weather conditions and across a range of suitable habitats, including intact heath and peatlands, grasslands, and conifer plantations.

3.2

Desk Study

The location of the site is partially 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.

The closest SAC designated for Kerry Slug is Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC [000365], approximately 1.3 km north of the permitted development.

Kerry slugs have been previously recorded in grid square W18, which overlaps partially with the development (National Biodiversity Data Centre, 2025).

3.3

Methodology

Focused Kerry slug surveys were deemed not necessary at the time, due to their presence confirmed across site during a multidisciplinary site walkover survey in May 2017 for planning application 19/4972.

Dedicated Kerry slug surveys were carried out as part of a further information request (KCC (22/816), CCC (22/5791), and ACP (ABP-314275, 317406)) in line with the methodology set out in Section 2 above and followed best practice as set out in McDonnell & Gormally (2011). Both hand search and de Sangosse traps were employed. A hand search of the permitted footprint was carried out on the 29th and 30th of November 2022, and the 10th of January 2023. Searching took place during the day in weather conditions conducive to Kerry Slug activity with overcast and mild conditions.

31 metric refuge traps (similar to Plate 2-1 above) were deployed in conifer plantation and open peatland habitats within and adjacent to the footprint of the permitted development on the 29th and 30th of November 2022 and collected on the 10th of January 2023. The traps were secured with string and/or rocks and pegs where placed on the ground.

There was no uncertainties or limitations associated with the above survey effort.

3.4

Results and Discussion

Kerry slugs were first identified incidentally within the site in May 2017 during surveys undertaken for a planning application to CCC (19/4972). The species was subsequently recorded at a number of locations throughout the site, and the desk study confirmed that the species is widespread in this part of the county. Both adults and juvenile Kerry slugs were recorded indicating a healthy breeding

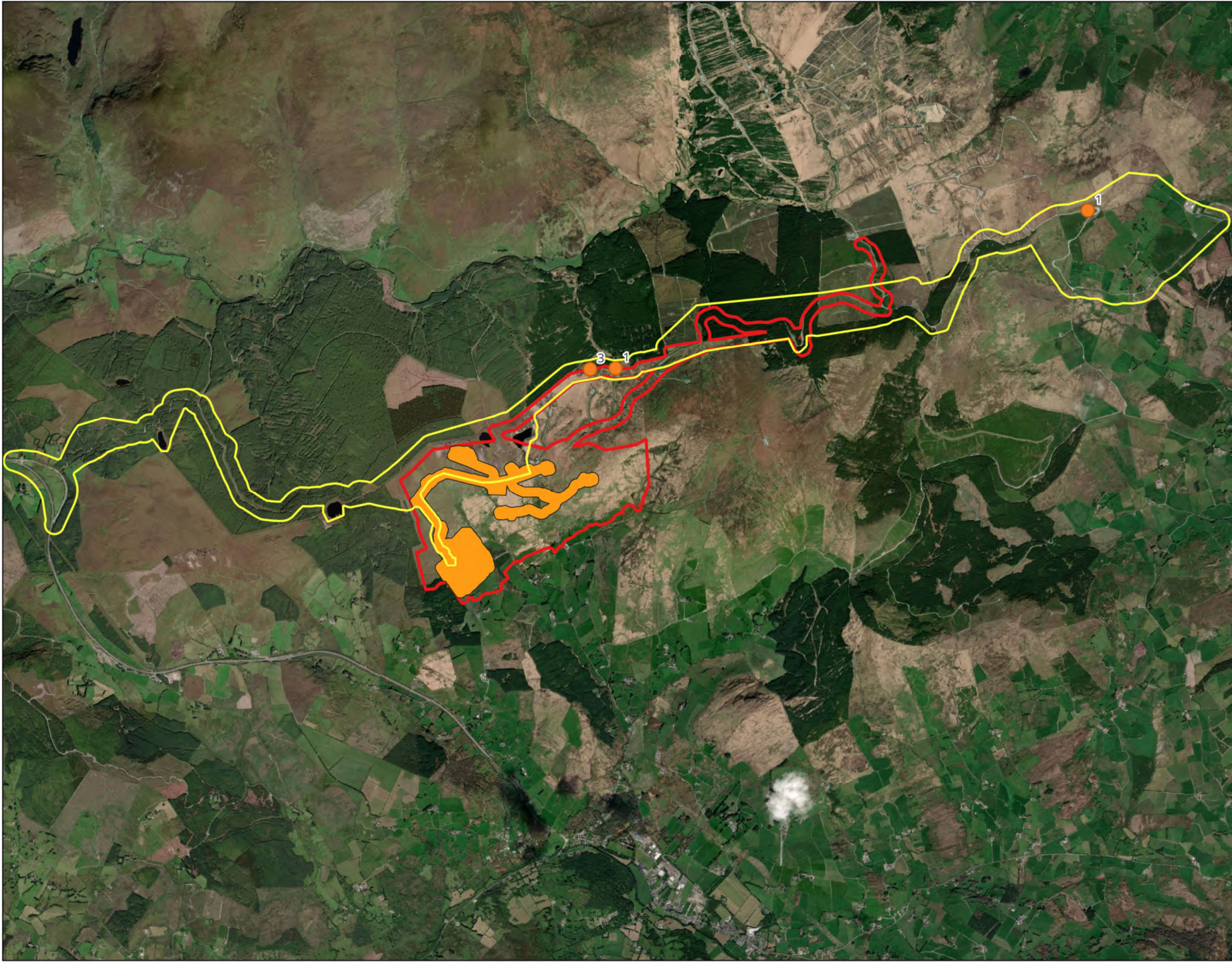
population. Kerry slugs were recorded within conifer plantation, peatland habitats and acid grassland. Individuals found within the commercial forestry were located on the trees, while those recorded within the peatland and grassland habitats were associated with rocky outcrops, fence posts and the edges of existing tracks. At the time it was deemed unnecessary to carry out focused surveys for Kerry slugs given that the incidental records confirmed its presence throughout the site. The study area for this planning application, where Kerry Slugs are assumed to occur throughout, is shown in orange in Figure 3-1 below. Chapter 5 of the EIAR submitted for planning application 19/4972 states *‘Any population that may be found within the study site is not likely to be associated with a SAC designated population. 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). In addition, the study site is isolated from the SAC through barriers caused by the Flesk River to the north and the N22 to the west.’*

A Kerry Slug Survey Report and Management Plan (Appendix 2) accompanied the application for the 38kV line (KCC (22/816), CCC (22/5791), and ACP (ABP-314275, 317406)) and was submitted following a further information request by the Board. The survey for this planning application detected no Kerry slugs within the permitted 38kV line route and five Kerry slugs in metric traps in conifer plantations adjoining the permitted grid connection route. All individuals recorded were recorded in conifer plantation outside the permitted development footprint. The permitted development is located predominantly within existing fire breaks and forestry roads which do not provide suitable habitat for this species and therefore there is no potential for significant impacts on this species. Small sections of conifer plantation are located within the construction footprint; however, no Kerry Slug were recorded in these areas.

The Management plan was drawn up in consultation with the NPWS and includes preconstruction site searches and translocation of Kerry slugs, preventative measures during construction and identification of areas for habitat enhancement. The inspectors report for planning applications to ACP (314275 and 317406) note that the inspectors are *‘satisfied with the results in the survey and consider the management plan would prevent any significant negative impact on the Kerry Slug’*.

3.5 Population Size Class Assessment

Whilst Kerry slug was recorded throughout the permitted development, the individuals found were strongly associated with certain habitat features such as tree trunks, exposed rock, track edges and hard surfaces. As per the planning application 19/4972 the exact number of Kerry slug records is unknown however records were numerous of various age classes. While a large population of Kerry slug 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. In the absence of the implementation of best practice and mitigation, habitat loss and degradation was assessed as a Potential Short Term Slight Negative Impact on the Kerry slug population as the site is situated within a larger landscape which contains significant suitable habitat for the species. Suitable habitat for the Kerry slug population is available within and surrounding the permitted development site.



Map Legend

ACP Pl. Ref. 317406/314275

Number of Kerry Slugs recorded

Study Area

CCC Pl. Ref 19/4972

Planning Application Boundary (Kerry Slug recorded throughout)

EIAR Site Boundary

Microsoft product screen shots reprinted with permission from Microsoft Corporation

N

Records of Kerry Slug

Project Title: Knocknamork Construction Compliance

Drawn By: MT	Checked By: NOD
Project No: 240943	Drawing No: Figure 3-1
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4.

EVIDENCE TO SUPPORT THE DEROGATION TESTS

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 from 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 permitted development is required to support sustainable development, renewable or green energy (Point 1 above), comply with national planning policies as per Point 2 (set out in Section 2 of this report), and support economic or social developments in the form of a nationally important infrastructure development project. The construction of the wind farm, solar energy production, and suitable connection to provide the national grid with renewable energy 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.

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. Tree felling is required to enable the construction of the permitted development and felling is permitted under felling licences TFL01060024 and TFL01060224.

The ‘do-nothing’ alternative would imply that the windfarm will be constructed without undertaking the necessary translocation measures for Kerry Slug, which will most likely result in a direct negative impact and loss of individuals of the local Kerry slug population.

The other alternative would be to not construct the renewable energy development; however, this would exclude the opportunity to harness renewable energy and remove a vital contribution to the national and European plans to increase the production of renewable energy. Therefore, the only satisfactory alternative is to undertake a search, metric trapping and translocation of Kerry slug as set out in Section 3 to reduce impacts on the Kerry slug and to fulfil the mitigation measures during the construction, and legal requirements of this vital infrastructural permitted development.

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

Article 16 of the Habitats Directive states:

“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.”

The licence application for surveying and translocation is to ensure that any Kerry slugs within the works area are translocated to a suitable similar nearby habitat to ensure mitigate against negative impacts on the local population during the works and that the species can maintain a favourable conservation status.

The site is located within the core distribution range of the Kerry slug in Ireland (Reich et al. 2012) and is situated within a larger landscape which contains significant suitable habitat for the species. Suitable habitat for the Kerry slug is available within and surrounding the permitted development site.

Whilst the loss of these habitats would have a direct and significant impact on the individuals involved, the permitted development will not result in a significant loss of habitat for the species at a population level. Given the scale of the project and the presence of suitable Kerry slug habitat in the wider landscape, this loss is unlikely to have an impact outside of the works footprint.

Chapter 5 of the EIAR submitted for planning application 19/4972 states '*Any population that may be found within the study site is not likely to be associated with a SAC designated population. 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). In addition, the study site is isolated from the SAC through barriers caused by the Flesk River to the north and the N22 to the west.*'.

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

5.

MONITORING THE IMPACTS OF DEROGATION

Monitoring of Kerry Slug in the areas adjacent to the site works will be undertaken to provide a before-after impact assessment. This will ensure that populations remain stable post-construction. These surveys will be carried out during optimal weather conditions (mild, damp, overcast and not excessively windy) by suitably qualified professionals. They will follow McDonnell & 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 as the search and translocation.

To enhance habitat for Kerry slug, in advance of any works areas of exposed rock (where present) along and adjacent to the permitted development footprint will be selected by the qualified/licenced ecologist as set out in Section 2.3.

These selected enhancement areas will be monitored (photos taken yearly for three years) during ongoing/all future surveys as part of post construction monitoring. Results will form part of yearly compliance reporting.

An EU Returns Form and a derogation report will be completed by the applicant and returned to Wildlife Licencing Unit of the NPWS, detailing the results of the monitoring efforts, and search and translocation works, address any corrective measures that might have been employed to address unforeseen circumstances.

6.

CONCLUSION

This report details information to support the derogation license application as set out in the guidance on Applications for Regulation 54 Derogations for Annex IV species by the NPWS (2025).

In conclusion, this report supports the application for a derogation license for disturbance to Kerry Slug (*Geomalacus maculosus*) associated with the undertaking of a survey to determine the presence/absence of the species and the translocation program in relation to the permitted felling as part of the permitted Knocknamork renewable energy development and grid connection. 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.

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APPENDIX 1

FELLING LICENCES



ENERCO ENERGY LTD
LISSARDA BUSINESS PARK
LISSARDA
CO CORK

11/02/2025

TFL01060224

Dear ENERCO ENERGY LTD

I refer to your application for a Tree Felling Licence and I am pleased to enclose same.

If you are dissatisfied with this decision, it is open to you to appeal against it to the Forestry Appeals Committee (FAC), which operates independently of this Department. In accordance with the provisions of the Forestry Appeals Committee Regulations 2020 (S.I. No. 418 of 2020 as amended by S.I. No. 423 of 2023) a notice of appeal must be received **within the statutory 14 working day deadline** and in a format required by the Committee.

The notice of appeal must be accompanied by the relevant fee and must include your name and address, grounds of appeal including the facts and contentions on which you intend to rely together with such documentary evidence that you wish to submit in support of your appeal. The fee for an appeal to the Forestry Appeals Committee is €200.

Submission of appeals

Forestry Appeals must be submitted on a notice of appeal form. The notice of appeal form is available on the Forestry Appeals Committee website: <http://www.agriappeals.gov.ie/forestryappealscommittee> Appeals must be submitted by post and the fee of €200 (payable by way of postal order, bank draft or cheque) must accompany the notice of appeal otherwise it cannot be accepted. The postal address is Forestry Appeals Committee, Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co. Laois, R32 DTW5. The Notice of Appeal Form must be signed by the Appellant. **Appeals and payments that are not received within the statutory 14 working day deadline cannot be accepted.**

Inspections of the plantation will be arranged at a later date to check on the utilisation of the licence.

Yours sincerely,

Ciaran Walsh

CIARAN WALSH
Felling Section, Forestry Division
DAFM, Johnstown Castle Estate
Co. Wexford
053 9163425



**AN ROINN TALMHAÍOCHTA, BIA AGUS MARA
DEPARTMENT OF AGRICULTURE, FOOD AND THE MARINE**

FORESTRY ACT 2014 - TREE FELLING LICENCE

Pursuant to the powers vested in him under the Forestry Act 2014, the Minister for Agriculture, Food and the Marine hereby grants to the person specified in Schedule 1 (hereafter referred to as the Licensee) a licence authorising the felling of trees as specified in Schedule 2 subject to any conditions specified in any part of this licence.

'This licence confers no title to the ownership of any land or trees specified herein. Where the licensee is not the owner of the land to which the licence relates, the conditions specified in the licence are binding on the owner of the land.

The authority granted under this licence does not remove the obligation on the licensee to abide by and fulfil the requirements of any other legislation.

During the period of the licence, the licence shall be for the benefit of the land and any owner thereof. (Under the Forestry Act 2014, "owner" is defined as "in relation to trees or a forest, means (a) the freehold owner, (b) the leasehold owner (if any), or (c) the occupier for the time being, of the lands concerned and includes Coillte Teoranta".)

Where the Licensee is not the owner as defined in the Forestry Act 2014, any conditions attached to this licence shall be binding on the owner.

Where an unexpired felling licence exists for any part of lands delineated in this Tree Felling Licence, it is important to note that this Tree Felling Licence will take precedence over the same areas delineated in the earlier licence.

The authority conferred by this licence will be exercisable for a period of 5 years from this date unless it is terminated by the Minister before the expiration of this period.

Signed on behalf of the Minister for Agriculture,
Food and Marine

Ciaran Walsh

Date: 11/02/2025.

SCHEDULE 1: Licensee

Name of Licensee	Address of Licensee	Felling Licence Owner Number (FLO)	Company Registration Office Number (CRO No.)
ENERCO ENERGY LTD	LISSARDA BUSINESS PARK, LISSARDA, CO CORK.	FLO00132	

Townland	DED	County
CUMMEENNABUDDOGE, GLENDAY, CUMMEENAVRICK, CLYDAGHROE, CAHERDOWNEY, GLASHACORMICK	CLYDAGH, COOMLOGANE, ULLANES	Kerry

SCHEDULE 2: Details of felling operation authorised under this licence and conditions attached to this licence

1. The authority conferred by this licence is to fell the tree species that are specified in Table 1 of this Schedule and are located within the boundaries of the land parcel(s) listed in Table 1 which are delineated on the attached ortho-photo map(s).
2. The land parcel number(s) listed in Table 1 of this Schedule identify the land parcel(s) delineated on the attached ortho-photo map(s). (NOTE:- Only the last 3 digits of the parcel ID number are displayed on the ortho-photo map(s), e.g., the number 12345678 in the table will appear on the associated ortho-photo map as 678).
3. The authority conferred by this licence is to fell trees of the species shown in Table 1 within the associated land parcel(s).
4. It is a condition of the licence that, within the boundary of each land parcel, any tree felling carried out under the authority conferred by the licence must be in accordance with the specification for the Harvest Type associated with the land parcel in Table 1 of this Schedule. Schedule 4 provides the specification of each Harvest Type which must be adhered to.

Reason: In the interest of clarity and in the interest of sustainable forest management of the forest area licenced for felling.

5. It is a condition of the licence that, within the boundary of each land parcel, any tree felling carried out under the authority conferred by the licence must be in accordance with the specification for the Harvest Type associated with the land parcel in Table 1 of this Schedule. Schedule 4 provides the specification of each Harvest Type which must be adhered to.

Reason: In the interest of clarity and in the interest of sustainable forest management of the forest area licenced for felling.

6. In Ireland, the spread and propagation of species listed in the Third Schedule of S.I. No. 477/2011 European Communities (Birds and Natural Habitats) Regulations 2011 to 2021 is an offence. Under Section 49 (2), save in accordance with a licence granted under paragraph (7), any person who plants, disperses, allows or causes to disperse, spreads or otherwise causes to grow in any place throughout the State, any plant which is included in Part 1 of the Third Schedule, shall be guilty of an offence. Under Section 50 it is an offence to transport a vector material listed in Part 3 of the Third Schedule except under licence. The granting of a felling licence does not exempt the holder from meeting any of these legal requirements. Further information can be found at Invasive Species Ireland.

7. The granting of a felling licence does not exempt the holder from meeting any legal requirements set out Wildlife Acts 1976 - 2010 which protects all wild animals in Ireland. Therefore, it is the responsibility of the landowner to ensure that where species are known to exist, on or near the project area and which are listed under the Wildlife Acts of 1976-2010, that these species are not impacted by the proposed forestry operations associated with this licence.

Table 1

Licence Information					
Plot No.	Area (ha)	Species	Harvest Type	Harvest Year	Land Parcel Number
1	0.11	Ash	Clearfell	2025	55666361
10	0.04	Sitka spruce	Clearfell	2025	55666364
100	0.74	Sitka spruce	Clearfell	2025	55666477
		Downy Birch	Clearfell	2025	55666477
101	0.28	Sitka spruce	Clearfell	2025	55666478
		Downy Birch	Clearfell	2025	55666478
102	0.1	Sitka spruce	Clearfell	2025	55666479
		Downy Birch	Clearfell	2025	55666479
103	0.24	Sitka spruce	Clearfell	2025	55666480
104	0.04	Sitka spruce	Clearfell	2025	55666481
105	0.06	Sitka spruce	Clearfell	2025	55666482
106	0.02	Sitka spruce	Clearfell	2025	55666483
107	0.33	Sitka spruce	Clearfell	2025	55666484
		Japanese Larch	Clearfell	2025	55666484
108	0.57	Sitka spruce	Clearfell	2025	55666485
109	0.03	Sitka spruce	Clearfell	2025	55666486
11	0.02	Sitka spruce	Clearfell	2025	55666366
12	0.15	Sitka spruce	Clearfell	2025	55666367
13	0.1	Sitka spruce	Clearfell	2025	55666368
14	0.2	Sitka spruce	Clearfell	2025	55666369
15	0.07	Sitka spruce	Clearfell	2025	55666370
16	0.07	Sitka spruce	Clearfell	2025	55666371
17	0.1	Sitka spruce	Clearfell	2025	55666372
18	0.06	Sitka spruce	Clearfell	2025	55666373
19	0.05	Sitka spruce	Clearfell	2025	55666374
20	0.03	Sitka spruce	Clearfell	2025	55666375
21	0.07	Sitka spruce	Clearfell	2025	55666376
22	0.1	Sitka spruce	Clearfell	2025	55666377
23	0.02	Sitka spruce	Clearfell	2025	55666378
24	0.2	Sitka spruce	Clearfell	2025	55666379
25	0.01	Sitka spruce	Clearfell	2025	55666380
26	0.06	Sitka spruce	Clearfell	2025	55666381
27	0.03	Sitka spruce	Clearfell	2025	55666382
28	0.16	Sitka spruce	Clearfell	2025	55666383
29	0.01	Sitka spruce	Clearfell	2025	55666384
30	0.02	Sitka spruce	Clearfell	2025	55666385
31	0.07	Sitka spruce	Clearfell	2025	55666386
32	0.24	Sitka spruce	Clearfell	2025	55666387
33	0.12	Sitka spruce	Clearfell	2025	55666388
34	0.22	Sitka spruce	Clearfell	2025	55666389
35	0.03	Sitka spruce	Clearfell	2025	55666392
36	0.05	Sitka spruce	Clearfell	2025	55666393
37	0.05	Sitka spruce	Clearfell	2025	55666394
38	0.03	Sitka spruce	Clearfell	2025	55666395
39	0.08	Sitka spruce	Clearfell	2025	55666396
41	0.04	Sitka spruce	Clearfell	2025	55666397
42	0.02	Sitka spruce	Clearfell	2025	55666402

Licence Information					
Plot No.	Area (ha)	Species	Harvest Type	Harvest Year	Land Parcel Number
43	0.01	Sitka spruce	Clearfell	2025	55666403
44	0.02	Sitka spruce	Clearfell	2025	55666404
45	0.06	Sitka spruce	Clearfell	2025	55666405
46	0.06	Sitka spruce	Clearfell	2025	55666406
47	0.01	Sitka spruce	Clearfell	2025	55666407
49	0.3	Sitka spruce	Clearfell	2025	55666408
50	0.23	Sitka spruce	Clearfell	2025	55666409
51	0.01	Sitka spruce	Clearfell	2025	55666410
52	0.07	Sitka spruce	Clearfell	2025	55666411
53	0.16	Sitka spruce	Clearfell	2025	55666412
54	0.19	Sitka spruce	Clearfell	2025	55666413
55	0.47	Sitka spruce	Clearfell	2025	55666414
56	0.3	Sitka spruce	Clearfell	2025	55666415
57	0.26	Sitka spruce	Clearfell	2025	55666416
58	0.03	Sitka spruce	Clearfell	2025	55666417
59	0.06	Sitka spruce	Clearfell	2025	55666418
60	0.11	Sitka spruce	Clearfell	2025	55666419
		Lodgepole Pine (North Coastal)	Clearfell	2025	55666419
61	0.45	Sitka spruce	Clearfell	2025	55666420
		Lodgepole Pine (North Coastal)	Clearfell	2025	55666420
62	0.05	Sitka spruce	Clearfell	2025	55666421
		Lodgepole Pine (North Coastal)	Clearfell	2025	55666421
63	0.02	Sitka spruce	Clearfell	2025	55666422
64	0.05	Sitka spruce	Clearfell	2025	55666423
65	0.08	Sitka spruce	Clearfell	2025	55666424
66	0.02	Sitka spruce	Clearfell	2025	55666425
67	0.06	Sitka spruce	Clearfell	2025	55666426
68	0.1	Sitka spruce	Clearfell	2025	55666427
70	0.05	Sitka spruce	Clearfell	2025	55666428
71	0.11	Sitka spruce	Clearfell	2025	55666429
72	0.02	Sitka spruce	Clearfell	2025	55666430
73	0.09	Sitka spruce	Clearfell	2025	55666431
		Lodgepole Pine (North Coastal)	Clearfell	2025	55666431
74	0.07	Sitka spruce	Clearfell	2025	55666432
		Lodgepole Pine (North Coastal)	Clearfell	2025	55666432
75	0.48	Lodgepole Pine (North Coastal)	Clearfell	2025	55666433
76	0.05	Lodgepole Pine (North Coastal)	Clearfell	2025	55666434
77	0.11	Sitka spruce	Clearfell	2025	55666435
78	0.02	Sitka spruce	Clearfell	2025	55666436
79	0.03	Sitka spruce	Clearfell	2025	55666437
80	0.35	Sitka spruce	Clearfell	2025	55666438
81	0.54	Sitka spruce	Clearfell	2025	55666455
82	0.25	Sitka spruce	Clearfell	2025	55666459
83	0.03	Sitka spruce	Clearfell	2025	55666460

Licence Information					
Plot No.	Area (ha)	Species	Harvest Type	Harvest Year	Land Parcel Number
84	0.24	Downy Birch	Clearfell	2025	55666461
85	0.28	Sitka spruce	Clearfell	2025	55666462
86	1.32	Sitka spruce	Clearfell	2025	55666463
87	0.07	Sitka spruce	Clearfell	2025	55666464
88	0.28	Sitka spruce	Clearfell	2025	55666465
89	0.03	Sitka spruce	Clearfell	2025	55666466
90	0.08	Sitka spruce	Clearfell	2025	55666467
91	4.42	Sitka spruce	Clearfell	2025	55666468
92	0.61	Sitka spruce	Clearfell	2025	55666469
93	0.84	Sitka spruce	Clearfell	2025	55666470
94	0.46	Sitka spruce	Clearfell	2025	55666471
95	0.2	Sitka spruce	Clearfell	2025	55666472
96	1.72	Sitka spruce	Clearfell	2025	55666473
97	0.09	Sitka spruce	Clearfell	2025	55666474
		Lodgepole Pine (North Coastal)	Clearfell	2025	55666474
98	0.29	Sitka spruce	Clearfell	2025	55666475
		Lodgepole Pine (North Coastal)	Clearfell	2025	55666475
99	0.04	Sitka spruce	Clearfell	2025	55666476

Other conditions attached to this licence

(a) The licensee shall ensure that all felling and reforestation operations are carried out in accordance with the Standards for Felling & Reforestation and the Environmental Requirements for Afforestation (as these refer to reforestation) published by the Department.

Reason: In the interest of protection of the environment during harvesting and where applicable, replanting of the felled area.

(b) The licensee shall treat all conifer stumps with urea immediately upon tree felling where the soil type is mineral soil or where a peat soil is less than 25cm (excluding the litter layer). Treatment is not required where a conifer stand is being replanted with broadleaves, where the conifer is in a broadleaf stand is being removed or where broadleaves make up greater than 85% of the stand. The correct solution mixing rate is 1kg of fertiliser grade urea, 5 litres of water and one bottle of dye. Urea should not be applied to stumps with the buffer zones required by the Forestry and Water Quality Guidelines nor by the Forestry and Freshwater Pearl Mussel Requirements.

Reason: In the interest of preventing infection by butt rot (*Heterobasidion annosum*) of the trees remaining following tree felling operations.

(c) The licensee shall, until the expiration of eleven years from the date on which the authority conferred by the licence ceases to be exercisable or ten years from the date of planting, whichever is the later, preserve, in accordance with good forest practice, the trees planted as instructed in Schedule 3 and shall for that purpose maintain in good repair and effective condition all fences and other protection necessary to protect such trees from being injured or destroyed by the trespass of any animals.

Reason: In the interest of the appropriate management, protection and maintenance of the forest area planted after trees within the licenced area have been felled.

(d) All aerial fertilisation of restocking sites requires prior written approval of this Department.

Reason: In the interest of sustainable forest management and protection of the environment.

(e) The public road network and associated roadside drainage must not be adversely affected whilst carrying out felling operations. The applicant may be held liable for any damage caused to a public road as a result of works and/or haulage operation associated with utilisation of this licence under the Roads Act 1993, Section 13(10)(a).

Reason: To protect the public road network and to clarify the extent of the permission in the interest of traffic safety and orderly development.

(f) FELLING OPERATIONS MUST NOT COMMENCE UNTIL AT LEAST 14 WORKING DAYS HAVE ELAPSED AFTER THE DATE OF SIGNATURE OF THIS LICENCE.

Reason: To allow for receipt of any appeals (from any party) by the Forestry Appeals Committee in relation to the granting of this licence.

(g) The enclosed Site Notice must be completed and erected in accordance with the Directions provided.

Reason: In the interest of providing a public notification in respect of the proposed felling operations and any associated replanting activity.

Inspectors Conditions:-

- The felling project and all associated operations shall be carried out and completed in accordance with the measures set out in the Standards for Felling & Reforestation, the Felling & Reforestation Policy and, if reforestation is involved, the Environmental Requirements for Afforestation, as these apply to that operation. Reason: In the interest of clarity and to ensure good forest practice and the protection of the environment, during felling, extraction and (if relevant) reforestation operations.
- The applicant must adhere to the mitigation measures specified in the Attached Appropriate Assessment Determination Document and Ecology Report. Reason: In the interest of sustainable forest management and protection of the environment.
- Alternative lands being planted under CN90948, CN87125 and CN89752 shall be carried out in accordance with DAFM standards and the conditions attached to the technical approvals. Reason: In the interest of the maintenance of national forest cover, the interest of sustainable forest management and in the interest of the protection of the environment.
- Contact Kerry County Council's Environment Section in advance of the commencement of works on site. (066 7183582, plan@kerrycoco.ie) Reason: So the county council can carry out its statutory obligations
- IFI personnel (karen.griffin@fisheriesireland.ie 087-1231102) should be notified in advance of the commencement of works. Reason: So IFI can carry out its statutory obligations

Archaeological Conditions:-

The following specific archaeological requirements shall be fully complied with ;

- a) Any and all de-stumping works in Plots 1 to 109 shall be archaeologically monitored by a suitably qualified archaeologist retained by the developer and under an Excavation Licence from DHLGH.
- b) A period of 5-6 weeks shall be allowed to facilitate processing and approval of the Excavation Licence application and method statement.
- c) In the event archaeological remains are found during the course of de-stumping works, the archaeologist concerned shall be empowered to stop works and to deal with those newly discovered remains in accordance with archaeological mitigations / requirements for such discoveries as agreed with the National Monuments Service, DHLGH.
- d) A report on the archaeologically monitored de-stumping works on-site shall be submitted to the National Monuments Service, DHLGH, the Forest Service, DAFM, and Cork and Kerry County Councils; This report can be a standalone document submitted on completion of this phase of the works or included in the overall archaeological report required to be sent to the relevant authorities on completion of the whole project.
- e) See attached archaeological report and illustrative map for further details.

Reason: In order to safeguard the archaeological heritage near the site; and to ensure the identification, recording, further preservation and protection as appropriate, of any other archaeological remains (including low visibility or subsurface remains) that may exist within the site.

SCHEDULE 3: Replanting

1. Under the Replanting Condition the licensee is obliged to plant trees (of species in number and stocking rate, canopy percent etc.) within the boundaries of the land parcel(s) listed in Table 2.

Reason: In the interest of the maintenance of national forest cover and in the interest of sustainable forest management of the forest area licenced for felling

2. The land parcels listed in Table 2 below identify the land parcels delineated on the attached map(s) and ortho-photo maps(s). (NOTE:- Only the last 3 digits of the parcel ID number are displayed on the ortho-photo map(s), e.g., parcel number 12345678 in the table will appear on the associated ortho-photo map as 678.)

3. Under the authority conferred by this licence, the licensee must carry out replanting as outlined in Table 2, within a period of two years following each felling operation.

Reason: In the interest of the maintenance of national forest cover and in the interest of sustainable forest management of the forest area licenced for felling.

4. Replanting must be in accordance with the general practice of good forestry and to the satisfaction of the Minister.

Reason: In the interest of the maintenance of national forest cover, the interest of sustainable forest management of the forest area licenced for felling and in the interest of protection of the environment.

5. Where an Alternative Planting Condition is attached to this licence, this condition will be listed in Schedule 2

Table 2

Plot No	Area (ha)	No. of Trees to achieve minimum stocking requirement Per hectare	Species	Restock Species Canopy %	Reforestation Objective	Land Parcel Number
AS PER CN90948/CN87125/CN89752						

SCHEDULE 4

Harvest Type	Harvest Type Description
Clearfell	The felling of all trees within the boundaries of the relevant land parcel or any subset of that land parcel. It is a condition attached to this licence and this Harvest Type that the area felled be replanted as specified in schedule 3 or an alternative area is planted as specified in Schedule 2 when an Alternative Planting Condition is attached to the licence.
Thinning	The felling of a portion of trees within the boundaries of the relevant land parcel or any subset of that land parcel to promote the growth and greater value of the remaining trees. Thinning is defined in the Forestry Act 2014 as <i>"the removal from a forest in accordance with good forest practice of excess or diseased trees, or trees of poor quality in order to improve the growth, health and value of the remaining trees"</i> .
Trending	Within the boundaries of the relevant land parcel or any subset of that land parcel, the felling of trees in the early stages of forest development to promote growth of the remaining trees. This Harvest Type is thinning as defined in the Forestry Act 2014, which is <i>"the removal from a forest in accordance with good forest practice of excess or diseased trees, or trees of poor quality in order to improve the growth, health and value of the remaining trees"</i> .
Continuous Cover Forestry	The felling of trees within the boundaries of the relevant land parcel or any subset of that land parcel to promote the natural regeneration of young trees. It is a condition of this licence that such natural regeneration must be managed in the manner specified in the Forest Management Plan submitted by the licensee and accepted by the Minister as part of the application for the licence. Such management may require planting trees where natural regeneration has not successfully achieved the required minimum stocking levels. The authority conferred under this licence is to fell no more than the number of trees specified for felling in the Forest Management Plan that has been accepted by the Minister.
Windblow	The clear felling of trees within the boundaries of the relevant forest land parcel or any subset of that land parcel following wind or storm damage. It is a condition attached to this licence and this Harvest Type that the area felled be replanted as specified in Schedule 3 or an alternative area is planted as specified in Schedule 2 when an Alternative Planting Condition is attached to the licence.
Open Space	The felling of all trees within the boundaries of the relevant land parcel in order, for example, to create an aquatic buffer zone.
Single Trees	The felling of individual or isolated trees within the boundaries of the relevant land parcel. It is a condition attached to this licence and this Harvest Type that replanting within the boundaries of the relevant land parcel is undertaken as specified in Schedule 3 or an alternative area is planted as specified in Schedule 2 when an Alternative Planting Condition is attached to the licence.
Line of Trees	The felling of a line of trees (for example in a hedgerow) within the boundaries of the relevant land parcel. It is a condition attached to this licence and this Harvest Type that replanting within the boundaries of the relevant land parcel is undertaken as specified in Schedule 3 or an alternative area is planted as specified in Schedule 2 when an Alternative Planting Condition is attached to the licence.

FELLING SITE NOTICE

Pursuant to a licence under Section 7 of the Forestry Act 2014 from the **Department of Agriculture, Food and the Marine** in respect of tree felling.

At this site¹

Townland(s): _____

County: _____

Contract Number²: _____

Harvest Type	Description ³	Area (ha)
Clearfell	The felling of all trees on an area with replanting afterwards.	
Thinning	The felling of a portion of trees from the canopy to promote growth and greater value in the remaining trees.	
Trending	The felling of undesirable trees in the early stages of forest development to promote growth in the remaining trees.	
Continuous Conver Forestry	The felling of a portion of trees from the canopy to promote the regeneration of young trees.	
Windblow	The felling of trees on a site following wind/storm damage with replanting afterwards	
Open space	The felling of trees to create small open areas within the forest, e.g. an aquatic buffer zone.	
		Number of Trees
Single Trees	The felling of individual or isolated trees.	
Line of Trees	The felling of a line of trees, e.g. Hedgerow.	

Expected dates of commencement and conclusion of the tree felling⁴

_____ TO _____

The licence may be inspected free of charge, using the Department's Forestry Licence Viewer at Forestry Licence Viewer (flv.apps.services.agriculture.gov.ie) or on the Departments website at <https://www.gov.ie/en/publication/642e6-forestry/#public-consultation>, or may be purchased, by request in writing (by post or e-mail) from Forestry Division, Department of Agriculture, Food and the Marine, Johnstown Castle Estate, Co. Wexford, email felling.forests@agriculture.gov.ie.

Name of Agent(if applicable) _____⁵

Date of Erection of Notice: _____⁶

Directions for completing the Site Notice

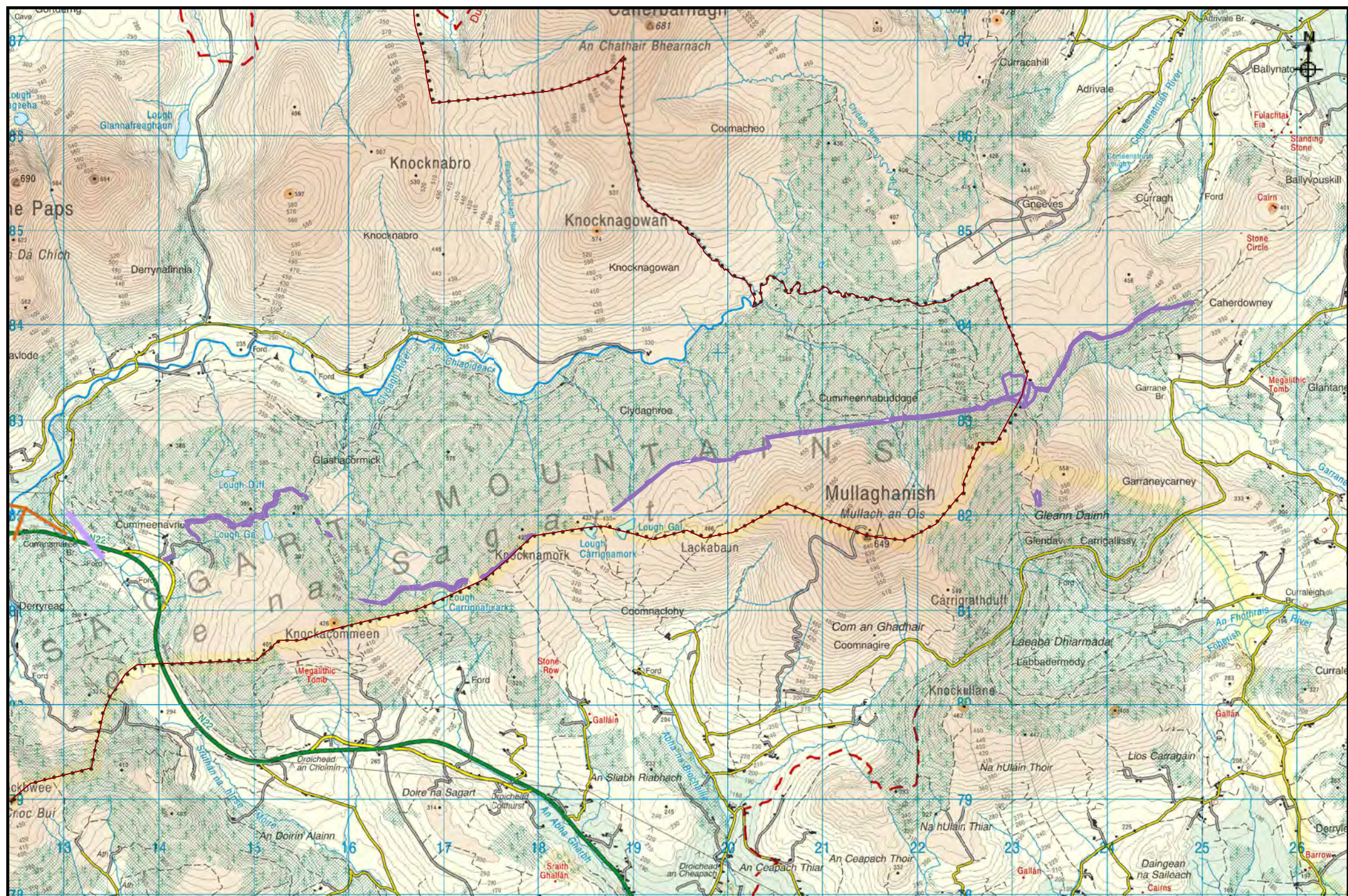
1. The **location, townland(s) or postal address** to which the licence refers must be stated so as to identify the location of the site in question. Where the development extends to more than one townland, all townlands must be stated.
2. The licence number (on the top right hand corner of Page 1 of the licence must be provided).
3. A description of the **nature and extent of the tree felling** must be stated on the site notice. You must include the following in your development description –
 - (a) Harvest type: clearfell, thinning, wind blow, CCF, etc
 - (b) Extent of felling: number of trees to be felled or area (ha) of the felling site
4. The dates upon which the work will commence and end (approximate dates will suffice) must be provided.
5. If an agent was acting on the licensee's behalf details must be entered.
6. The date that the notice is **erected or fixed at the site** must be stated.

Directions for erecting the Site Notice

The Site Notice must be securely erected at the entrance from the public road to the land to which the licence relates or, where no entrance exists, at the point where it is proposed to create an entrance, so as to be **easily visible and legible by persons using the public road, and shall not be obscured or concealed at any time.**

The Site Notice must be clearly legible, affixed on rigid, durable material and secured against damage from bad weather and other causes.

The Site Notice must be maintained in position on the land concerned for so long as the felling of trees is carried out or timber extraction is ongoing. The notice must be renewed or replaced if it is removed or becomes defaced or illegible within that period.











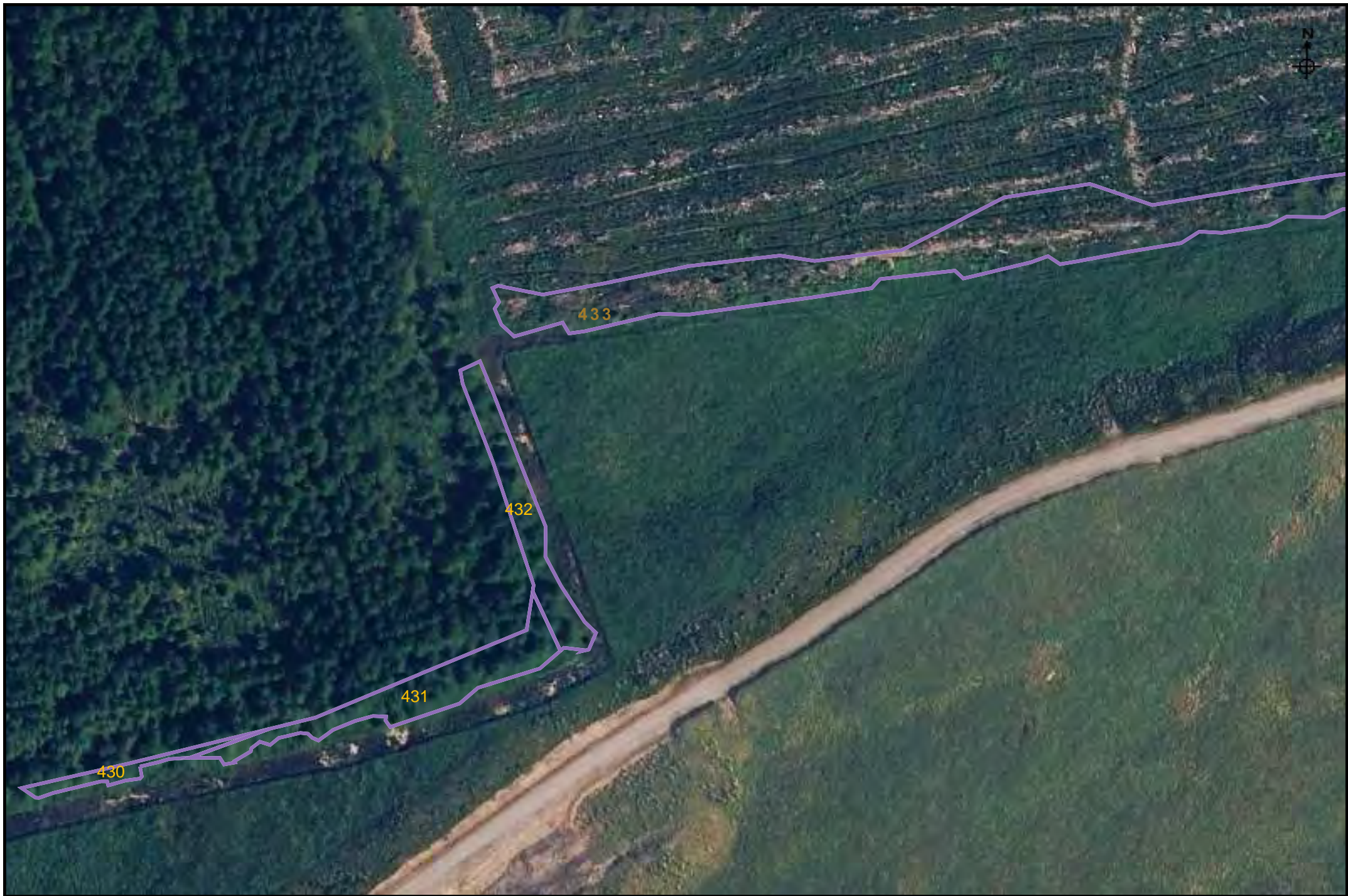


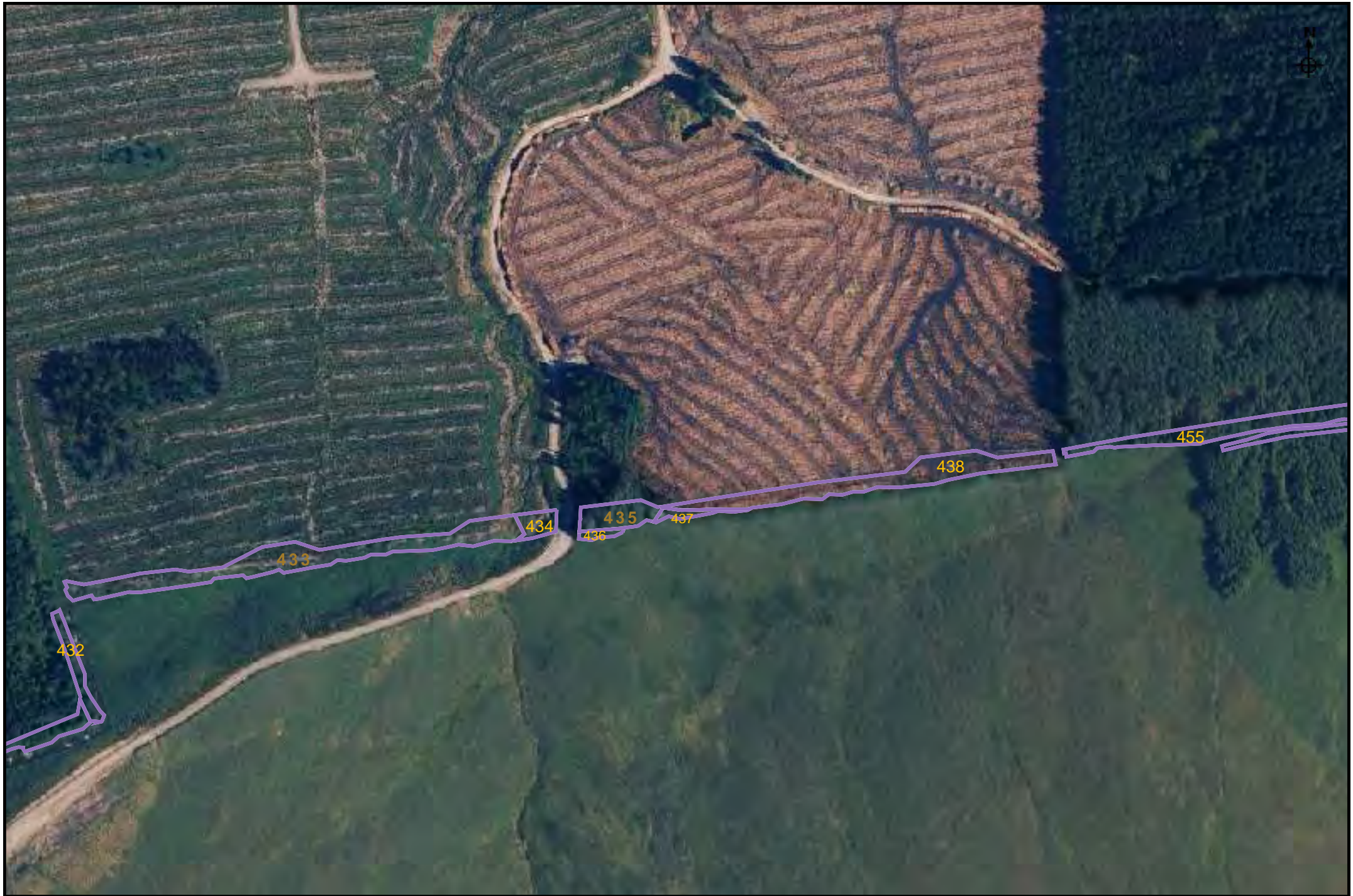
























ENERCO ENERGY LTD
LISSARDA BUSINESS PARK
LISSARDA
CO CORK

08/05/2025

TFL01060024

Dear ENERCO ENERGY LTD

I refer to your application for a Tree Felling Licence and I am pleased to enclose same.

If you are dissatisfied with this decision, it is open to you to appeal against it to the Forestry Appeals Committee (FAC), which operates independently of this Department. In accordance with the provisions of the Forestry Appeals Committee Regulations 2020 (S.I. No. 418 of 2020 as amended by S.I. No. 423 of 2023) a notice of appeal must be received **within the statutory 14 working day deadline** and in a format required by the Committee.

The notice of appeal must be accompanied by the relevant fee and must include your name and address, grounds of appeal including the facts and contentions on which you intend to rely together with such documentary evidence that you wish to submit in support of your appeal. The fee for an appeal to the Forestry Appeals Committee is €200.

Submission of appeals

Forestry Appeals must be submitted on a notice of appeal form. The notice of appeal form is available on the Forestry Appeals Committee website: <http://www.agriappeals.gov.ie/forestryappealscommittee> Appeals must be submitted by post and the fee of €200 (payable by way of postal order, bank draft or cheque) must accompany the notice of appeal otherwise it cannot be accepted. The postal address is Forestry Appeals Committee, Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co. Laois, R32 DTW5. The Notice of Appeal Form must be signed by the Appellant. **Appeals and payments that are not received within the statutory 14 working day deadline cannot be accepted.**

Inspections of the plantation will be arranged at a later date to check on the utilisation of the licence.

Yours sincerely,

CIARAN WALSH
Felling Section, Forestry Division
DAFM, Johnstown Castle Estate
Co. Wexford
053 9163425



**AN ROINN TALMHAÍOCHTA, BIA AGUS MARA
DEPARTMENT OF AGRICULTURE, FOOD AND THE MARINE**

FORESTRY ACT 2014 - TREE FELLING LICENCE

Pursuant to the powers vested in him under the Forestry Act 2014, the Minister for Agriculture, Food and the Marine hereby grants to the person specified in Schedule 1 (hereafter referred to as the Licensee) a licence authorising the felling of trees as specified in Schedule 2 subject to any conditions specified in any part of this licence.

'This licence confers no title to the ownership of any land or trees specified herein. Where the licensee is not the owner of the land to which the licence relates, the conditions specified in the licence are binding on the owner of the land.

The authority granted under this licence does not remove the obligation on the licensee to abide by and fulfil the requirements of any other legislation.

During the period of the licence, the licence shall be for the benefit of the land and any owner thereof. (Under the Forestry Act 2014, "owner" is defined as "in relation to trees or a forest, means (a) the freehold owner, (b) the leasehold owner (if any), or (c) the occupier for the time being, of the lands concerned and includes Coillte Teoranta".)

Where the Licensee is not the owner as defined in the Forestry Act 2014, any conditions attached to this licence shall be binding on the owner.

Where an unexpired felling licence exists for any part of lands delineated in this Tree Felling Licence, it is important to note that this Tree Felling Licence will take precedence over the same areas delineated in the earlier licence.

The authority conferred by this licence will be exercisable for a period of 5 years from this date unless it is terminated by the Minister before the expiration of this period.

Signed on behalf of the Minister for Agriculture,
Food and Marine

Ciaran Walsh

Date: 08/05/2025.

SCHEDULE 1: Licensee

Name of Licensee	Address of Licensee	Felling Licence Owner Number (FLO)	Company Registration Office Number (CRO No.)
ENERCO ENERGY LTD	LISSARDA BUSINESS PARK, LISSARDA, CO CORK.	FLO00132	

Townland	DED	County
COOMNACLOHY	SLIEVEREAGH	CORK

SCHEDULE 2: Details of felling operation authorised under this licence and conditions attached to this licence

1. The authority conferred by this licence is to fell the tree species that are specified in Table 1 of this Schedule and are located within the boundaries of the land parcel(s) listed in Table 1 which are delineated on the attached ortho-photo map(s).
2. The land parcel number(s) listed in Table 1 of this Schedule identify the land parcel(s) delineated on the attached ortho-photo map(s). (NOTE:- Only the last 3 digits of the parcel ID number are displayed on the ortho-photo map(s), e.g., the number 12345678 in the table will appear on the associated ortho-photo map as 678).
3. The authority conferred by this licence is to fell trees of the species shown in Table 1 within the associated land parcel(s).
4. It is a condition of the licence that, within the boundary of each land parcel, any tree felling carried out under the authority conferred by the licence must be in accordance with the specification for the Harvest Type associated with the land parcel in Table 1 of this Schedule. Schedule 4 provides the specification of each Harvest Type which must be adhered to.

Reason: In the interest of clarity and in the interest of sustainable forest management of the forest area licenced for felling.

5. It is a condition of the licence that, within the boundary of each land parcel, any tree felling carried out under the authority conferred by the licence must be in accordance with the specification for the Harvest Type associated with the land parcel in Table 1 of this Schedule. Schedule 4 provides the specification of each Harvest Type which must be adhered to.

Reason: In the interest of clarity and in the interest of sustainable forest management of the forest area licenced for felling.

6. In Ireland, the spread and propagation of species listed in the Third Schedule of S.I. No. 477/2011 European Communities (Birds and Natural Habitats) Regulations 2011 to 2021 is an offence. Under Section 49 (2), save in accordance with a licence granted under paragraph (7), any person who plants, disperses, allows or causes to disperse, spreads or otherwise causes to grow in any place throughout the State, any plant which is included in Part 1 of the Third Schedule, shall be guilty of an offence. Under Section 50 it is an offence to transport a vector material listed in Part 3 of the Third Schedule except under licence. The granting of a felling licence does not exempt the holder from meeting any of these legal requirements. Further information can be found at Invasive Species Ireland.

7. The granting of a felling licence does not exempt the holder from meeting any legal requirements set out Wildlife Acts 1976 - 2010 which protects all wild animals in Ireland. Therefore, it is the responsibility of the landowner to ensure that where species are known to exist, on or near the project area and which are listed under the Wildlife Acts of 1976-2010, that these species are not impacted by the proposed forestry operations associated with this licence.

Table 1

Licence Information					
Plot No.	Area (ha)	Species	Harvest Type	Harvest Year	Land Parcel Number
1	1.2	Sitka spruce	Clearfell	2025	55667203
2	1.06	Sitka spruce	Clearfell	2025	55667204
3	0.02	Sitka spruce	Clearfell	2025	55667205
4	0.01	Sitka spruce	Clearfell	2025	55667206

Other conditions attached to this licence

(a) The licensee shall ensure that all felling and reforestation operations are carried out in accordance with the Standards for Felling & Reforestation and the Environmental Requirements for Afforestation (as these refer to reforestation) published by the Department.

Reason: In the interest of protection of the environment during harvesting and where applicable, replanting of the felled area.

(b) The licensee shall treat all conifer stumps with urea immediately upon tree felling where the soil type is mineral soil or where a peat soil is less than 25cm (excluding the litter layer). Treatment is not required where a conifer stand is being replanted with broadleaves, where the conifer is in a broadleaf stand is being removed or where broadleaves make up greater than 85% of the stand. The correct solution mixing rate is 1kg of fertiliser grade urea, 5 litres of water and one bottle of dye. Urea should not be applied to stumps with the buffer zones required by the Forestry and Water Quality Guidelines nor by the Forestry and Freshwater Pearl Mussel Requirements.

Reason: In the interest of preventing infection by butt rot (*Heterobasidion annosum*) of the trees remaining following tree felling operations.

(c) The licensee shall, until the expiration of eleven years from the date on which the authority conferred by the licence ceases to be exercisable or ten years from the date of planting, whichever is the later, preserve, in accordance with good forest practice, the trees planted as instructed in Schedule 3 and shall for that purpose maintain in good repair and effective condition all fences and other protection necessary to protect such trees from being injured or destroyed by the trespass of any animals.

Reason: In the interest of the appropriate management, protection and maintenance of the forest area planted after trees within the licenced area have been felled.

(d) All aerial fertilisation of restocking sites requires prior written approval of this Department.

Reason: In the interest of sustainable forest management and protection of the environment.

(e) The public road network and associated roadside drainage must not be adversely affected whilst carrying out felling operations. The applicant may be held liable for any damage caused to a public road as a result of works and/or haulage operation associated with utilisation of this licence under the Roads Act 1993, Section 13(10)(a).

Reason: To protect the public road network and to clarify the extent of the permission in the interest of traffic safety and orderly development.

(f) FELLING OPERATIONS MUST NOT COMMENCE UNTIL AT LEAST 14 WORKING DAYS HAVE ELAPSED AFTER THE DATE OF SIGNATURE OF THIS LICENCE.

Reason: To allow for receipt of any appeals (from any party) by the Forestry Appeals Committee in relation to the granting of this licence.

(g) The enclosed Site Notice must be completed and erected in accordance with the Directions provided.

Reason: In the interest of providing a public notification in respect of the proposed felling operations and any associated replanting activity.

Inspectors Conditions:-

- Create and maintain dense mats of brash and branch wood on all machine routes, renewing as required before they become heavily used and worn.

Reason: In the interest of the protection of soil stability.

- Upon commencement of work on site, the licensee shall notify the Department in writing. Any necessary additional documentation, as may be required by a condition attached to the Licence, shall be included with this Notice of Commencement.

Reason: To enable the Department to verify compliance with the Licence and the conditions attached thereto.

- Except where other DAFM licence conditions apply, strictly adhere to harvest plan submitted in support of the felling licence application.

Reason: In the interest of best forest practice and protection of the environment.

- Inspect and maintain (as necessary) all protective measures (including silt traps, brash mats and operational exclusion zones) periodically throughout operations, to ensure continued protective functionality.

Reason: In the interests of the protection of the environment, particularly the protection of water quality and aquatic ecosystems, during felling, extraction and (if relevant) reforestation operations.

- Condition - Observe any mitigation measures outlined in the AAD and ecology reports.

Reason - To protect the environment.

- Condition - Observe all recommendations outlined in the DAFM archaeologists report.

Reason - To protect Irelands heritage.

- Alternative lands being planted under CN87125 shall be carried out in accordance with DAFM standards and the conditions attached to the technical approval. Reason: In the interest of the maintenance of national forest cover, the interest of sustainable forest management and in the interest of the protection of the environment.

Archaeological Conditions:-

Condition: Adhere to the archaeological mitigation measures set out in the attached Archaeology Report.

Reason: In order to safeguard the archaeological heritage near the site; and to ensure the identification, recording, further preservation and protection as appropriate, of any other archaeological remains (including low visibility or subsurface remains) that may exist within the site.

SCHEDULE 3: Replanting

1. Under the Replanting Condition the licensee is obliged to plant trees (of species in number and stocking rate, canopy percent etc.) within the boundaries of the land parcel(s) listed in Table 2.

Reason: In the interest of the maintenance of national forest cover and in the interest of sustainable forest management of the forest area licenced for felling

2. The land parcels listed in Table 2 below identify the land parcels delineated on the attached map(s) and ortho-photo maps(s). (NOTE:- Only the last 3 digits of the parcel ID number are displayed on the ortho-photo map(s), e.g., parcel number 12345678 in the table will appear on the associated ortho-photo map as 678.)

3. Under the authority conferred by this licence, the licensee must carry out replanting as outlined in Table 2, within a period of two years following each felling operation.

Reason: In the interest of the maintenance of national forest cover and in the interest of sustainable forest management of the forest area licenced for felling.

4. Replanting must be in accordance with the general practice of good forestry and to the satisfaction of the Minister.

Reason: In the interest of the maintenance of national forest cover, the interest of sustainable forest management of the forest area licenced for felling and in the interest of protection of the environment.

5. Where an Alternative Planting Condition is attached to this licence, this condition will be listed in Schedule 2

Table 2

Plot No	Area (ha)	No. of Trees to achieve minimum stocking requirement Per hectare	Species	Restock Species Canopy %	Reforestation Objective	Land Parcel Number
AS PER CN87125						

SCHEDULE 4

Harvest Type	Harvest Type Description
Clearfell	The felling of all trees within the boundaries of the relevant land parcel or any subset of that land parcel. It is a condition attached to this licence and this Harvest Type that the area felled be replanted as specified in schedule 3 or an alternative area is planted as specified in Schedule 2 when an Alternative Planting Condition is attached to the licence.
Thinning	The felling of a portion of trees within the boundaries of the relevant land parcel or any subset of that land parcel to promote the growth and greater value of the remaining trees. Thinning is defined in the Forestry Act 2014 as <i>"the removal from a forest in accordance with good forest practice of excess or diseased trees, or trees of poor quality in order to improve the growth, health and value of the remaining trees"</i> .
Trending	Within the boundaries of the relevant land parcel or any subset of that land parcel, the felling of trees in the early stages of forest development to promote growth of the remaining trees. This Harvest Type is thinning as defined in the Forestry Act 2014, which is <i>"the removal from a forest in accordance with good forest practice of excess or diseased trees, or trees of poor quality in order to improve the growth, health and value of the remaining trees"</i> .
Continuous Cover Forestry	The felling of trees within the boundaries of the relevant land parcel or any subset of that land parcel to promote the natural regeneration of young trees. It is a condition of this licence that such natural regeneration must be managed in the manner specified in the Forest Management Plan submitted by the licensee and accepted by the Minister as part of the application for the licence. Such management may require planting trees where natural regeneration has not successfully achieved the required minimum stocking levels. The authority conferred under this licence is to fell no more than the number of trees specified for felling in the Forest Management Plan that has been accepted by the Minister.
Windblow	The clear felling of trees within the boundaries of the relevant forest land parcel or any subset of that land parcel following wind or storm damage. It is a condition attached to this licence and this Harvest Type that the area felled be replanted as specified in Schedule 3 or an alternative area is planted as specified in Schedule 2 when an Alternative Planting Condition is attached to the licence.
Open Space	The felling of all trees within the boundaries of the relevant land parcel in order, for example, to create an aquatic buffer zone.
Single Trees	The felling of individual or isolated trees within the boundaries of the relevant land parcel. It is a condition attached to this licence and this Harvest Type that replanting within the boundaries of the relevant land parcel is undertaken as specified in Schedule 3 or an alternative area is planted as specified in Schedule 2 when an Alternative Planting Condition is attached to the licence.
Line of Trees	The felling of a line of trees (for example in a hedgerow) within the boundaries of the relevant land parcel. It is a condition attached to this licence and this Harvest Type that replanting within the boundaries of the relevant land parcel is undertaken as specified in Schedule 3 or an alternative area is planted as specified in Schedule 2 when an Alternative Planting Condition is attached to the licence.

FELLING SITE NOTICE

Pursuant to a licence under Section 7 of the Forestry Act 2014 from the **Department of Agriculture, Food and the Marine** in respect of tree felling.

At this site¹

Townland(s): COOMNACLOHY,

County: CORK,

Contract Number²: TFL01060024

Harvest Type	Description ³	Area (ha)
Clearfell	The felling of all trees on an area with replanting afterwards.	2.29
Thinning	The felling of a portion of trees from the canopy to promote growth and greater value in the remaining trees.	
Tending	The felling of undesirable trees in the early stages of forest development to promote growth in the remaining trees.	
Continuous Conver Forestry	The felling of a portion of trees from the canopy to promote the regeneration of young trees.	
Windblow	The felling of trees on a site following wind/storm damage with replanting afterwards	
Open space	The felling of trees to create small open areas within the forest, e.g. an aquatic buffer zone.	
		Number of Trees
Single Trees	The felling of individual or isolated trees.	
Line of Trees	The felling of a line of trees, e.g. Hedgerow.	

Expected dates of commencement and conclusion of the tree felling⁴

_____ TO _____

The licence may be inspected free of charge, using the Department's Forestry Licence Viewer at Forestry Licence Viewer (flv.apps.services.agriculture.gov.ie) or on the Departments website at <https://www.gov.ie/en/publication/642e6-forestry/#public-consultation>, or may be purchased, by request in writing (by post or e-mail) from Forestry Division, Department of Agriculture, Food and the Marine, Johnstown Castle Estate, Co. Wexford, email felling.forests@agriculture.gov.ie.

Name of Agent(if applicable) _____⁵

Date of Erection of Notice: _____⁶

Directions for completing the Site Notice

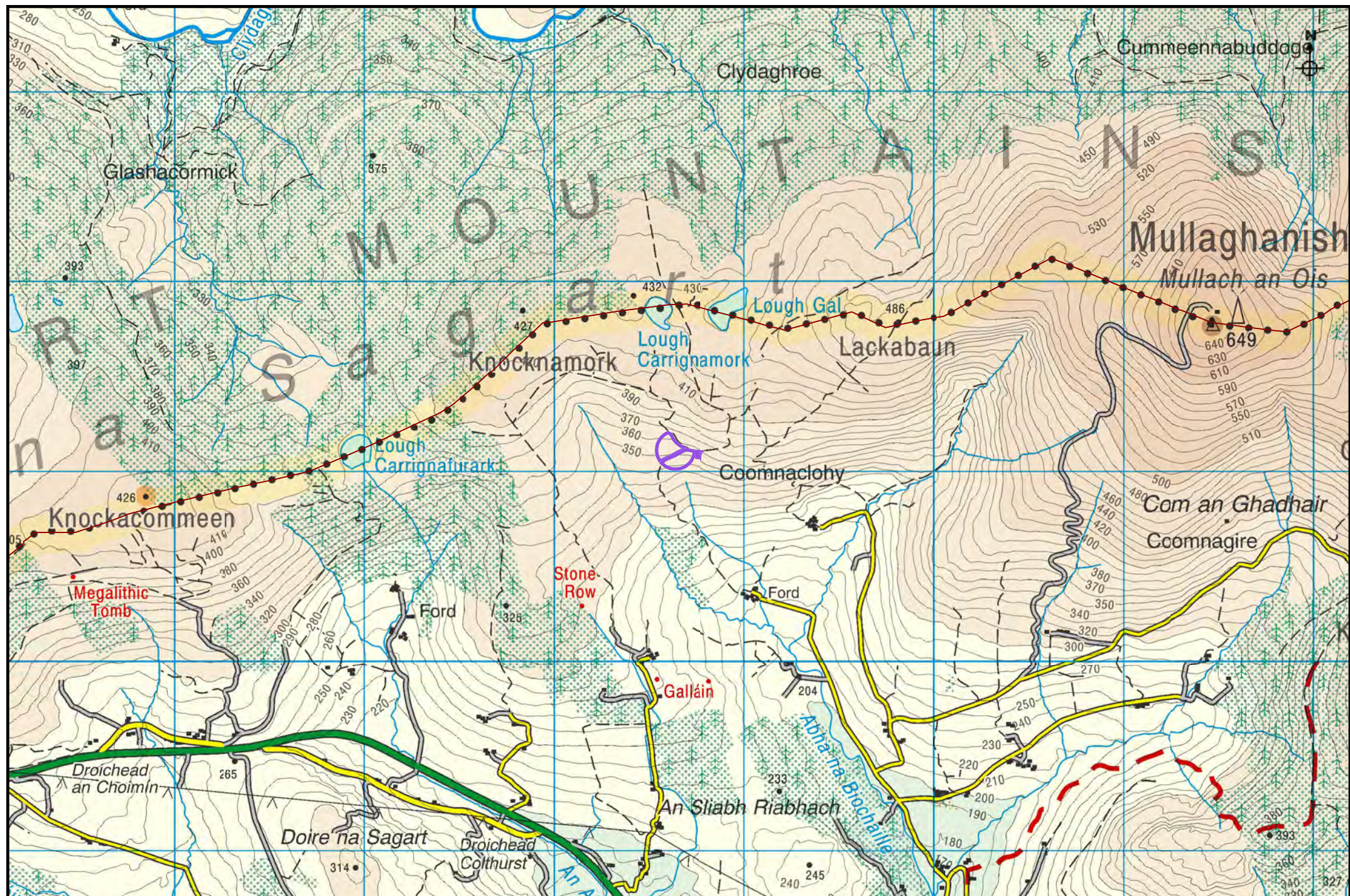
1. The **location, townland(s) or postal address** to which the licence refers must be stated so as to identify the location of the site in question. Where the development extends to more than one townland, all townlands must be stated.
2. The licence number (on the top right hand corner of Page 1 of the licence must be provided).
3. A description of the **nature and extent of the tree felling** must be stated on the site notice. You must include the following in your development description –
 - (a) Harvest type: clearfell, thinning, wind blow, CCF, etc
 - (b) Extent of felling: number of trees to be felled or area (ha) of the felling site
4. The dates upon which the work will commence and end (approximate dates will suffice) must be provided.
5. If an agent was acting on the licensee's behalf details must be entered.
6. The date that the notice is **erected or fixed at the site** must be stated.

Directions for erecting the Site Notice

The Site Notice must be securely erected at the entrance from the public road to the land to which the licence relates or, where no entrance exists, at the point where it is proposed to create an entrance, so as to be **easily visible and legible by persons using the public road, and shall not be obscured or concealed at any time.**

The Site Notice must be clearly legible, affixed on rigid, durable material and secured against damage from bad weather and other causes.

The Site Notice must be maintained in position on the land concerned for so long as the felling of trees is carried out or timber extraction is ongoing. The notice must be renewed or replaced if it is removed or becomes defaced or illegible within that period.







APPENDIX 2

**KERRY SLUG SURVEY REPORT
AND MANAGEMENT PLAN
(SUBMITTED FOR KCC (22/816),
CCC (22/5791), AND ACP (ABP-
314275, 317406)**

Kerry Slug Survey Report and Management Plan

Proposed Knocknamork
Renewable Energy
Development - Response
To Further Information
Request





DOCUMENT DETAILS

Client: **Knocknamork Ltd.**

Project title: **Proposed Knocknamork Renewable Energy Development - Response To Further Information Request**

Project Number: **210732-b**

Document Title: **Kerry Slug, Knocknamork, Co. Cork**

Document File Name: **KSSR F – 2023.02.28 – 210732-b**

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Appendix 1: NPWS Kerry Slug Derogation licence

Appendix 2: DAU Consultation

1 INTRODUCTION

1.1 Background

MKO have been commissioned to carry out Kerry Slug surveys and prepare a Kerry Slug Management Plan in response to Requests for Further Information (RFI) received from Kerry County Council and Cork County Council. The Proposed Development comprises a proposed substation, underground cabling and access roads, and associated works. Refer to chapter 4 of the EIAR for a detailed description of the Proposed Development. The Proposed Development is subject to concurrent planning applications, Kerry County Council (Pl. Ref. 22/816), Cork County Council (Pl. Ref. 22/5791) & An Bord Pleanála (ABP-314275-22) The aim of the surveys was to determine if Kerry Slug are present within the footprint of the Proposed Development site and to determine whether there is potential for significant impacts on this species as a result of the works.

The RFI from Cork County Council (Planning ref: 22/5791) stated:

Given the known occurrence of Kerry Slug (Geomalacus maculosus) on-site, the Planning Authority considers the information provided as insufficient as to determine the potential effects the proposal could have on the local population of this protected species. Therefore, you shall engage the services of a competent malacologist to carry out Kerry Slug surveys and draw up, in agreement with the NPWS, an Kerry Slug Management Plan (KSMP) to identify, create and manage a suitable receiving environment for the long-term occurrence and translocation, if required, of the Kerry Slug in the area affected by the proposed development and any future felling of the forestry. Survey methods are to be cited within the report and shall be in accordance with recommended best practise. It is noted that you are required to obtain a survey licence from the NPWS in order to carry out a Kerry Slug survey. This licence shall be attached by way of the Further Information response. Furthermore, construction works, and design details shall comply with the requirements of the KSMP which shall also be subject to the conditions of the Derogation License. You shall submit details by way of the further response as to the progress of the derogation license, if one is required.

The RFI from Kerry County Council (Planning ref: 22/816) stated:

You are requested to provide a complete assessment of the likelihood of significant effects of the proposals on Kerry Slug and badger, to EIAR standard. As part of this best practice dedicated surveys should be undertaken and all necessary NPWS derogation licences obtained.

1.1.1 Kerry Slug Distribution

The Kerry Slug has a very restricted global range and occurs only in Ireland, Spain, and Portugal.

The historical distribution of Kerry Slug within Ireland was restricted to Counties Cork and Kerry. In 2010 however, the Kerry Slug was discovered in Cloosh Forest, a commercial conifer plantation near Oughterard, Co. Galway (Kearney, 2010). It was found to be localised but common within this area (Reich *et al.*, 2012).

While the widespread planting of commercial conifer forestry was originally thought to have had a detrimental effect on populations of Kerry Slug (NPWS, 2010), results from a range of studies (e.g. Johnston *et al.* 2018; McDonnell & Gormally 2011, 2013; Reich *et al.* 2012, 2017a, 2017b) indicate otherwise, and the species is found thriving in commercial forestry throughout its distribution. It is possible that forestry is even serving as a vector for the species, which has recently been discovered from a conifer plantation in Tipperary (Curtin 2021).

1.1.2 Kerry Slug Ecology

The species is marked with white or yellow spots and two-colour forms exist: a blue/grey slug with white spots and a ginger or brown form with yellow spots. Adults can grow to 80 millimetres in length but may contract into a ball shape when disturbed. They may also lie flat and elongate themselves to fit into cracks and crevices. Kerry Slugs are capable of self-fertilisation and produce eggs between July and October. The eggs are large, laid in batches of 18 to 30, and will hatch between six and eight weeks. Individuals can live for up to seven years.

The species feeds on lichens, liverworts, and mosses on rocky outcrops or on mature trees and timber. The Kerry Slug is largely active at night, throughout the year, and will emerge during the daylight hours during damp or humid conditions.

Within its range, it occurs within two broad habitat types: Oak-dominated or mixed deciduous woodland with a mixture of oak and birch. Woodlands with rocky outcrops or boulders are particularly favoured. Unimproved oligotrophic open moor or blanket bog with sandstone outcrops or boulders also provide suitable habitat for Kerry Slug. These areas are largely devoid of vegetation except for lichens and mosses which provide sufficient grazing material for the species.

1.1.3 Legal Protection

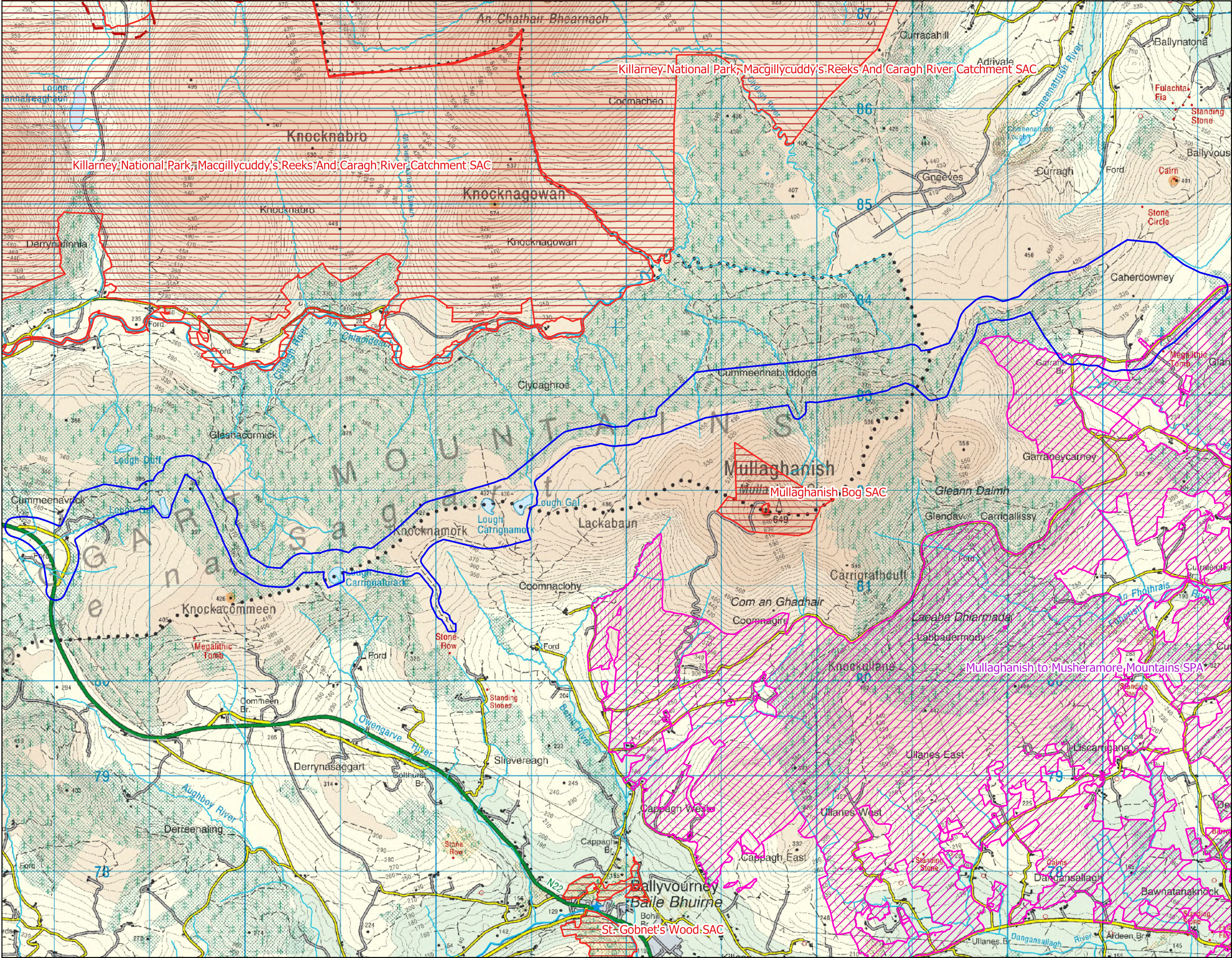
Kerry Slug is a protected species under the Wildlife Act, 1976 and Wildlife (Amendment) Act, 2000, in Ireland and is also protected under Annex II and Annex IV of the EU Habitats Directive (Council Directive 92/43/EEC) resulting in the designation of seven Special Areas of Conservation (SACs) for the species protection in Ireland. The nearest European Site designated for Kerry Slug to the Proposed Development is Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (000365), located 0.7 kilometres west of the site boundary.

1.2 Site Location

The Site lies approximately 7.9 kilometres southwest of the town of Millstreet, and 3 kilometres northwest of the village of Ballyvourney, Co. Cork. The Grid Reference co-ordinates of the approximate start and end points for the Proposed Development site are 514036, 581567 ITM and 525824, 584341 ITM respectively. The survey included commercial forestry lands adjacent to the Proposed Development footprint situated on the Cork-Kerry border.

1.3 Statement of Authority

Kerry Slug surveys were carried out by Neansaí O'Donovan (BSc., Wildlife Biology) on the 29th and 30th of November 2022 and the 10th of January 2023. The surveys were carried out under licence: DER/KERRY SLUG-2022-137 (Extension) (see Appendix 1). This report was written by Stephanie Corkery (BSc., MSc.) and Neansaí O'Donovan. This report was reviewed by Sarah Mullen (B.Sc., Ph.D., ACIEEM). Sarah is an experienced ecologist who has over 6 years' professional experience in ecological consultancy.



Map Legend

Special Area of Conservation

Special Protected Area

EIAR Study Boundary

Rivers

Site location

Project Title

Knocknamork Grid Further Information

Drawn By

NOD

Checked By

RW

Project No.

210732-b

Drawing No.

Figure 1-1

Scale

1:35000

Date

27.01.23

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2 METHODOLOGY

2.1 Desk Study

The desk study undertaken for this assessment included a thorough review of available ecological data including the following:

- Review of online web-mappers: National Parks and Wildlife Service (NPWS)
- Review of the publicly available National Biodiversity Data Centre (NBDC) webmapper
- *Specially requested records from the NPWS Rare and Protected Species Database for the hectads in which the Proposed Development is located.*
- NPWS Article 17 Range and distribution maps
- NPWS Threat Response Plan for Kerry Slug (*Geomalacus maculosus*).

The desk study revealed that the Proposed Development site is located within the known geographical range of the Annex II and IV species Kerry Slug. The species occurs in two main natural habitats in Ireland: woodland, and blanket bog/wet heathland (NPWS 2019). In recent studies by Johnson *et al.* (2018) it has been shown that Kerry Slug can also be abundant in conifer plantation.

2.2 NPWS Consultation

NPWS were consulted in relation to the surveys undertaken and the proposed Kerry Slug Management Plan (KSMP) in this report. NPWS directed MKO to the following guidelines:

- Guidance for Public authorities on the Application of Articles 12 and 16 of the EU Habitats Directive to development/works undertaken by or on behalf of a Public authority.
- Guidance on the Strict Protection of Certain Animal and Plant Species under the Habitats Directive in Ireland.

The NPWS Licencing unit was consulted to acquire a Kerry Slug derogation licence to carry out the required surveys. The surveys carried out, which are detailed in this report, were done so as per the conditions of the acquired derogation licence DER/KERRY SLUG-2022-137 (Extension)).

The Derogation Licence is included in **Appendix 1** of this report.

The Kerry Slug Management Plan included in this report was drafted and sent to NPWS for commentary/recommendations to ensure appropriate measures and mitigations will be implemented to ensure that there will be no significant effects on Kerry Slug as a result of the Proposed Development. A response was received on the 16/02/2023 and NPWS were satisfied that the proposed management plan was appropriate based on the survey findings. This correspondence is included in **Appendix 2** of this Report.

2.3 Field Survey Methodology

Given that the Proposed Development falls within the known range for Kerry Slug, a dedicated survey for Kerry Slug was carried out within areas of suitable supporting habitat, including conifer plantation and open peatland habitats, within the site on the 29th and 30th of November 2022, and the 10th of January 2023. The surveys were undertaken under licence from the NPWS which can be found in Appendix 1. They followed 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) which were collected approx. 6 weeks later.

2.3.1 Hand search

A hand search of the Proposed Development footprint was carried out on the 29th and 30th of November 2022, and the 10th of January 2023. Searching took place during the day in weather conditions conducive to Kerry Slug activity with overcast and mild conditions.

The search focused on the following habitats/features in the vicinity of the Proposed Development site:

- Rotting logs/tree stumps and rocks in recently clear-felled areas
- Rocky outcrops and stone walls in improved agricultural grassland and wet grassland
- Tree trunks and stumps in conifer plantation

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.

2.3.2 Refuge trapping

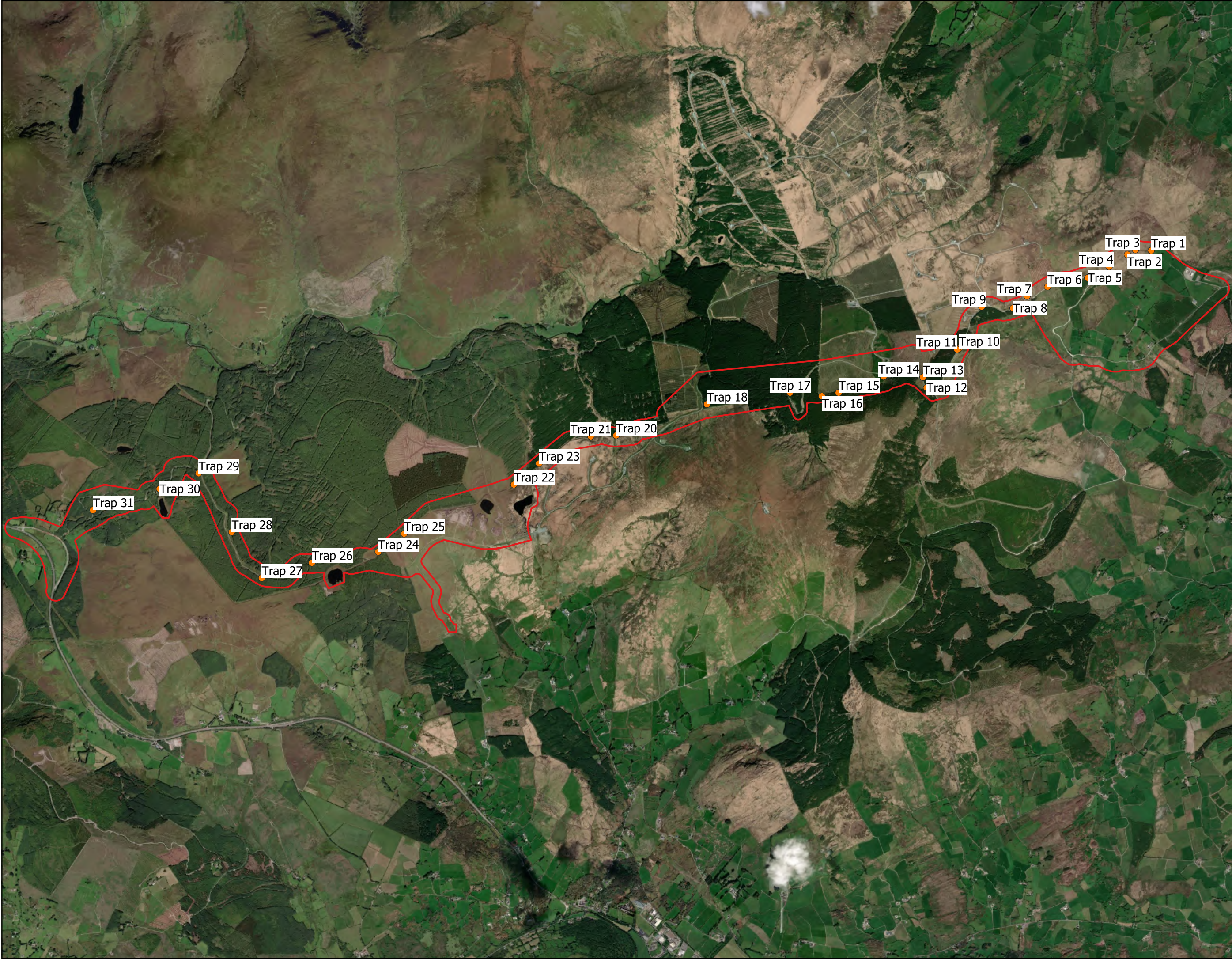
31 metric refuge traps (Plate 2-1) were deployed in conifer plantation and open peatland habitats within and adjacent to the footprint of the Proposed Development on the 29th and 30th of November 2022 and collected on the 10th of January 2023. The traps were secured with string and/or rocks and pegs where placed on the ground. A map showing the location of the 31 Kerry Slug traps is shown on Figure 2-1.



Plate 2-1 De Sangosse metric fuse trap

2.4 Limitations and Constraints

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. Weather conditions were overcast and damp during daylight hours in the early part of the day with periods of persistent rain in the afternoon. Based on the above, it is considered that the Kerry Slug surveys carried out were not subject to constraints or limitations.



Map Legend

- EIAR Study Boundary
- Kerry Slug Traps



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Kerry Slug Trap Locations

Knocknamork Grid Further Information

Drawn By	Checked By
NOD	RW
Project No.	Drawing No.
210732-b	Figure 2-1
Scale	Date
1:35000	20.01.23



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3 RESULTS

3.1 Desktop Study

The following sections outline the results of the desk study. The Proposed Development site overlaps between two 10km hectads: W18 and W28.

3.1.1 European Designated Sites

The nearest European site (i.e. Special Area of Conservation or Special Protection Area) to the study area is Killarney National Park, Macgillicuddy's Reeks And Caragh River Catchment SAC (000365), approximately 1.3 kilometres north of the proposed works. Kerry Slug is a Qualifying Interest of the SAC.

3.1.2 Biodiversity Ireland Database

The National Biodiversity Database was accessed on the 8th of December 2021 and the 9th of November 2022. There are three records of Kerry Slug submitted for hectad W18, the two most recent of which are from 2016. No records of Kerry Slug exist for hectad W28 on this database.

3.1.3 NPWS Rare and Protected Species Database

The NPWS database was consulted regarding their Rare and Protected Species Database for the hectads which overlap the study area (W18 and W28). The nearest record for Kerry Slug is approximately 5km kilometres north of the proposed grid connection route in habitat recorded as rough grazing upland (<http://www.npws.ie/>).

3.1.4 Review of Aerial Photography

A review of aerial photography and OSI, Discovery Range 1:50,000 mapping of the area was undertaken prior to commencing field survey works. This helped to identify areas of suitable Kerry Slug habitat within the site and helped inform the Kerry Slug surveys to be undertaken on the ground.

3.1.5 Desk Study Conclusions

Based on the desk study results the following points of note were identified:

- The nearest SAC designated for Kerry Slug (Killarney National Park, Macgillicuddy's Reeks and Caragh River Catchment SAC) is 1.3km north of the proposed grid connection works. As there is no direct overlap between the SAC and the Proposed Development works, the impacts on the SAC population are not considered for further assessment.
- There are a low number of records for Kerry Slug (three) from hectads W18 and W28 which overlap with the Proposed Development site.
- Based on the results of the desk study, there is potential for Kerry Slug to occur within the zone of influence of the Proposed Development site should suitable habitat be present. Detailed field surveys were therefore carried out to determine whether Kerry Slug is present within the Proposed Development works area and whether the species will be affected by the proposed works. The field survey results are described and outlined in **Section 3.2** below.

3.2 Field Survey

Hand searches were conducted during suitable weather conditions (i.e. damp weather) on the 29th and 30th of November 2022 and the 10th of January 2023. Kerry Slug was not recorded within the Proposed Development footprint during the hand searches undertaken.

Five records of Kerry Slug were obtained on collection of the metric traps on 10th January 2023, the results of which are shown in Table 3-2. The overall locations of Kerry Slug recorded in the Site are shown in Figure 2-2. Photographic records of Kerry Slug recorded in the metric traps on the 10th of January 2023 are given below in Plates 3-1 to 3-3. All records of Kerry Slug were from conifer plantation adjacent to the Proposed Development footprint. There were no records from within the Proposed Development footprint.

Table 3-1 Kerry Slug recorded in metric traps 10.01.2023

Habitat	No. Kerry Slug Recorded	Grid reference/Location (Irish Grid)	Metric Trap No.
Tree in Conifer Plantation (WD4)	1	W24834 84229	5
Tree in Conifer Plantation (WD4)	1	W19890 82576	20
Tree in Conifer Plantation (WD4)	3	W19623 82567	21
Metric Trap Records TOTAL	5		



Plate 3-1 Metric Trap 5 (W24834 842229) 1 no. Kerry Slug



Plate 3-3 Metric Trap 20 (W19890 82576) 1 no. Kerry Slug



Plate 3-2 Metric Trap 21 (W19623 82567) 3 no. Kerry Slugs

4 DISCUSSION

No Kerry Slug were recorded within the Proposed Development footprint during the surveys undertaken. All individuals recorded were recorded in conifer plantation outside the Proposed Development footprint. The Proposed Development is located predominantly within existing fire breaks and forestry roads which do not provide suitable habitat for this species and therefore there is no potential for significant impacts on this species. Small sections of conifer plantation are located within the construction footprint; however, no Kerry Slug were recorded in these areas.

Given that Kerry Slug is a mobile species and given that habitat changes can take place between the surveys undertaken and the commencement of construction, a Kerry Slug Management Plan has been drawn up, in consultation with the NPWS, and is given below in Section 5.

5 KERRY SLUG MANAGEMENT PLAN

Prior to the commencement of construction, a derogation licence will be sought from the NPWS and works will be carried out in compliance with the below measures and any additional conditions set by this licence.

5.1 Pre-Construction Measures

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

- Known locations of Kerry Slug identified from the survey efforts 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.
- As the Proposed Development footprint is predominantly within existing fire breaks and forestry roads, it is unlikely that the removal and translocation of Kerry Slugs will be required. In the event that Kerry Slugs are recorded along the Proposed Development footprint, these will be translocated under licence to known suitable Kerry Slug habitats identified during the Kerry Slug survey effort i.e. at locations for metric traps 5, 20, and 21 (See Figure 2-1).
- These sites will be subject to approval by the NPWS as part of their approval process for the translocation licence.
- Should the translocation of Kerry Slugs be required, individuals will be relocated into similar habitat from which they were found.

5.2 Measures during Construction

The following measures will be implemented during construction:

- The extent of the Proposed Development footprint will be clearly marked to prevent any inadvertent encroachment on Kerry Slug habitat located adjacent to the works area.
- Where the Proposed Development works will require the felling of small sections of forestry, tree stumps will be left in place where possible to provide suitable habitat for Kerry Slug.
- Should Kerry Slugs be found in the works area during the construction phase, they will be relocated by the appointed qualified/licenced ecologist to the predetermined suitable habitats identified above.
- Turves and boulders/exposed rock will be stored adjacent to the Proposed Development footprint where practicable before reinstatement to maintain/create suitable habitat for the species in the vicinity of the works during construction.

5.3 Habitat Enhancement

In advance of any works, areas of exposed rock along and adjacent to the Proposed Development footprint will be selected by the qualified/licenced ecologist for the promotion of lichen growth and thus provide suitable feeding habitat for Kerry Slug. The selected rocks will be painted with a mix of yogurt, inoculated with lichens and some mosses found within the study area which will encourage lichen growth. These areas will be fenced off using post and rope so that the areas will not be disturbed during any future site maintenance. These selected enhancement areas will be monitored (photos taken yearly

for three years) during ongoing/all future surveys as part of post construction monitoring. Results will form part of yearly compliance reporting.

6 CONCLUSION

Surveys were carried out in accordance with current best practice and guidance in relation to Kerry Slug. The results of the surveys show that Kerry Slug were present within three conifer plantation habitat locations adjacent to the Proposed Development footprint. There were no Kerry Slug recorded within the footprint of the Proposed Development. The survey was carried out in accordance with the licence provided in **Appendix 1**.

The Kerry Slug Management Plan and measures outlined in this report will be adopted to ensure the protection of the Kerry Slug within the Site and ensure that the Proposed Development will not result in adverse impacts on the species.

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APPENDIX 1

**NPWS KERRY SLUG
DEROGATION LICENCE**



An Roinn Tithíochta,
Rialtas Áitiúil agus Oidhreacht
Department of Housing,
Local Government and Heritage

Licence No.: DER/KERRY SLUG-2022-137 (Extension)

**EUROPEAN COMMUNITIES (BIRDS AND NATURAL HABITATS) REGULATIONS
2011 (S. I. No 477 of 2011)**

DEROGATION LICENCE

Granted under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011, hereinafter referred to as “the Habitats Regulations”.

The Minister for Housing, Local Government and Heritage, (hereinafter referred to as “the Minister”), after obtaining professional advice, is satisfied that: -

(A) this licence is to be granted for the purpose of protecting wild fauna and conserving natural habitats, and

(B) there is no satisfactory alternative, and the action authorised by this licence will not be detrimental to the maintenance of the population of **KERRY SLUG** referred to below at a favourable conservation status in their natural range.

The Minister, in exercise of the powers conferred on him by Regulation 54 of the Habitats Regulations hereby grants to **Neansai O'Donovan, MKO, Tuam Road, Co. Galway H91 VW84** (“the licensee”) a licence in respect of the **Kerry Slug**. This licence authorises the following:

(a) Disturbance

This licence is subject to the terms and conditions set out overleaf.

Terms and Conditions

1. This licence is granted solely in respect of the **disturbance to the habitat of Kerry slug (*Geomalacus maculosus*)** in connection with the **surveying of Kerry Slugs as part of the Knocknamork Grid Connection Project, Knocknamork, Cork & Kerry.**
2. The authorised actions shall be carried out on the licensee's behalf by, or under the authorisation and supervision of **Laoise Chambers, MKO, Tuam Road, Co. Galway H91 VW84** ("the scientific agent").
3. Please adhere to all survey methodologies outlined in the accompanying report **Knocknamork Grid Connection Application, Co. Cork and Co. Kerry.**
4. This licence authorises proposed surveying works between the dates **21st October 2022** and **31st January 2023.**
5. This licence permits the capture of Kerry Slug using baited refuge traps of the type described in Irish Wildlife Manuals, No. 54 (Distribution and population dynamics of the Kerry Slug, *Geomalacus maculosus* (Arionidae).
6. Traps must be removed after the survey is completed.
7. This licence does not permit the taking or killing of specimens. All slugs found under the traps must be released where they are found or in the nearest area of suitable habitat.
8. Photographs of a sample (minimum of one per trap locality) of the slugs encountered should be included as proof of identification.
9. All trapping work must be carried out by a suitably qualified person.
10. A full report must be submitted no later than 3 months after the end of the licence giving full details (location, date, Irish grid reference, surveyor) of the survey methodology and, if any, all records of Kerry Slug. Future licence applications will be refused in the event of a report not being submitted. Report to be submitted to Brian.Nelson@npws.gov.ie and WildlifeLicence@npws.gov.ie
11. The local NPWS District Conservation Officer **Danny O'Keeffe, Danny.OKeeffe@npws.gov.ie** , **+353 15393406** shall be contacted prior to any work being carried out under the terms of this licence.



Claire Crowley

(a person authorised by the Minister to sign on his behalf)

30/11/2022

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



NOTES (1 to 2).

- This licence is granted for the period specified and subject to compliance with the conditions specified. Anything done other than in accordance with the terms of this licence may constitute an offence.
- This licence applies to the **Kerry Slug** and to no other species.



APPENDIX 2

DAU CONSULTATION

Padraig Desmond

From: Brian Nelson (Housing) <Brian.Nelson@npws.gov.ie>
Sent: 16 February 2023 15:51
To: Padraig Desmond; Housing Manager DAU
Subject: RE: DAU Ref: G Pre00308/2021 210732b Knocknamork NPWS Consultation request

Pádraig

Thank you for the documentation. I am satisfied that the management plan you propose for the site is appropriate for the Kerry Slug at this site and based on your survey findings

Regards

Brian Nelson

From: Padraig Desmond <pdesmond@mkoireland.ie>
Sent: Friday 10 February 2023 18:18
To: Housing Manager DAU <Manager.DAU@npws.gov.ie>
Cc: Brian Nelson (Housing) <Brian.Nelson@npws.gov.ie>
Subject: DAU Ref: G Pre00308/2021 210732b Knocknamork NPWS Consultation request

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Re; DAU Ref: G Pre00308/2021

To whom it may concern,

I am an Ecologist with MKO and we are currently working on a proposed grid connection route project in Knocknamork, Co. Cork (Location map in attached report). An initial DAU consultation for the original planning application was carried out under the DAU ref G Pre00308/2021. The planning application has been submitted to Kerry County Council and Cork County Council, both of whom returned a request for further information relating to Kerry slug. A Kerry slug survey carried out under NPWS licence, and a management plan are required.

To date, we have produced a draft Kerry slug survey report and a management plan. See attached. Surveys have been carried out under the licence: DER/KERRY SLUG-2022-137 (Extension) (see appendix 1 of the survey report).

Survey included the deployment of 31 metric traps and hand searches along and adjacent to the proposed grid connection route. (Trap locations in attached report).

The route of the proposed project was designed to avoid suitable habitat for Kerry slug and predominantly follows existing fire breaks and forestry roads.

No Kerry slugs were recorded during hand searches. Kerry slugs were recorded in metric traps 5 (one individual), 20 (one individual), and 21 (three individuals). Each of these traps were deployed in conifer plantation habitats adjacent to the proposed grid connection route. No Kerry slug were identified within any habitat along the proposed route.

I have made initial contact with [@brian.nelson@npws.gov.ie](mailto:brian.nelson@npws.gov.ie) who advised that I contact the DAU as this was a planning matter.

We would appreciate any recommendations or commentary that you may have on the above. The deadline for the return of this RFI in late February so if it was at all possible, a response to this consultation request next week would

be greatly appreciated. We are happy to liaise with Brian directly if appropriate, should he wish to do so, as I have had contact with him already.

If you have any further questions, please do not hesitate to contact me again.

Kind regards,
Pádraig

Pádraig Desmond
Ecologist

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