

STRATEGIC INFRASTRUCTURE DEVELOPMENT
APPLICATION TO AN BORD PLEANÁLA
(REG NO. PL04.PA0045)

ORAL HEARING

WASTE TO ENERGY FACILITY, RINGASKIDDY, COUNTY CORK

WITNESS STATEMENT OF CARL DIXON M.Sc.

ECOLOGY

1. Qualifications and Experience

My name is Carl Dixon and I hold a BSc. in Applied Ecology and an MSc in Ecological Monitoring from University College Cork. I am a founding partner of DixonBrosnan Environmental Consultants which was established in 2001. Prior to setting up DixonBrosnan, I worked as an independent environmental consultant.

My main areas of expertise are in terrestrial and freshwater ecology. I have been involved in the compilation of a number of Environmental Impact Statements and Natura Impact Statements for a wide range of developments including housing developments, quarries, gas pipelines, windfarms etc.

2. Role in the Project

I managed the ecological appraisal of the proposed development. I prepared the Biodiversity Chapter of the Environmental Impact Statement [EIS] (Chapter 12). In addition, I was responsible for the preparation of the Natura Impact Statement [NIS]. Both the EIS and the NIS were submitted to An Bord Pleanála [the Board] with the application for planning permission in January 2016.

The following was carried out in relation to the ecological aspects of the project

- identification of ecological constraints via desktop review
- winter bird surveys, breeding bird surveys, mammal surveys, habitat mapping, floral surveys and intertidal surveys.
- preparation of the Biodiversity chapter of the Environmental Impact Assessment (and associated figures and appendices); and
- preparation of the Natura Impact Statement (and appendices).

2.1 Conclusion of Ecological Appraisals

The conclusions of Chapter 12 of the EIS (refer to section 12.8.8) may be summarised as follows:

- Some areas of semi-natural vegetation will be removed.
- Invasive species will be eradicated
- No long-term impact on mammals or birds will occur.
- No significant cumulative impacts have been identified.
- Emissions from the proposed development are predicted to have a negligible residual impact on terrestrial and marine ecology
- The impact on designated sites is predicted to be negligible.

The conclusions of the NIS (refer to section 5.9) may be summarised as follows:

- The Stage One Screening appraisal considered the potential for significant impacts arising from the proposed development on Natura 2000 sites. Screening determined that impacts on the Cork Harbour SPA could potentially occur.
- Potential impacts on the Cork Harbour SPA related to disturbance, a possible fire in the bunker, impacts on the marine environment, the collision risk created by the stack and the potential for ecological impacts from potential cumulative impacts were also considered.
- A range of precautionary measures have been specified to minimise ecological impacts. No particular difficulties in the effective implementation of mitigation measures was identified.
- Following a comprehensive evaluation of the potential direct, indirect and cumulative impacts on the qualifying interests and conservation objectives for the Cork Harbour SPA, it has been concluded that the proposed development will not have an adverse effect on the integrity of the Cork Harbour SPA.

3. Submissions and Responses

In preparing this witness statement, I have considered each of the observations submitted to An Bord Pleanála by various parties in relation to the ecological impact appraisal of the Ringaskiddy Resource Recovery Centre. I have addressed each of them below.

3.1 Department of Arts, Heritage and the Gaeltacht

In its submission the Department notes that the critical issues are as follows;

- Emissions during operation and potential bioaccumulation from sediments to piscivorous birds listed for Cork Harbour SPA
- The potential for release of contaminants from transported flue gas residue
- Collision risk for birds
- Pollutant emissions due to catastrophic events

Issue #1: Proposed monitoring within Cork Harbour

Submission:

The Department notes that all four issues outlined above have been addressed in the NIS and has no further comment in relation to the last three points. However, in relation to point one, the Department has requested that monitoring for PCDDs and PCDFs be carried out on the livers of fish which form part of the diet of piscivorous birds in the Cork Harbour SPA.

Response:

Indaver agree to implement a monitoring programme as outlined in the Department's submission.

3.2 Cork County Council

The Heritage Officer (Sharon Casey) noted that certain ecological issues may require some clarification:

Issue #1: Habitat enhancement measures proposed for west of site (EIA issue)

Submission:

Clarification required on habitat enhancement measures proposed for the west of the site.

Response:

It is proposed to enhance the habitat value of an area of improved grassland in the southwest corner of the site. Details are provided in section 12.6.3.10 of the EIS. It is noted that the creation of a sustainable diverse grassland is a long-term process which requires specialist expertise. The enhancement plan will therefore be based on the prevailing conditions at the time of commencement. This will include soil fertility, moisture levels, pH, sward structure and grazing/mowing requirements. It is predicted that the biodiversity value of this grassland area will be significantly enhanced in a local context.

Issue #2: Measures to protect the rare species Bee Orchid (EIA issue)

Submission:

Suggested that measures be implemented to protect the rare species Bee Orchid (EIA issue)

Response:

Bee Orchid has a scattered distribution in Ireland. This species was located in a small area of grassland along the northern edge of the L4525 road and not within the applicant's ownership. This strip of grassland was subsequently removed due to development of a footpath. If this species is found within the site, it will be relocated to a suitable area of grassland in the southwest corner of the site.

Issue #3: winter bird survey – flight line records for bird species known to occur within the area and identified to be vulnerable to collision risk (AA and possibly EIA issue)

Submission:

The Heritage Officer noted that additional locational detail (particularly recorded flight lines) associated with winter bird surveys may be useful to the board if available, to better understand activity of birds relative to the development site.

Response:

As noted in Section 5.3.3 of the NIS, the stack does not create a significant collision risk for birds due to its relatively low height, location, static nature and proposed lighting. A 2011 radar study by the Cork Lower Harbour Energy Group examined bird flight lines within the Lower Harbour as part of the EIS for a proposal to build seven wind turbines. No distinct or significant flight patterns were observed over the proposed development site.

Given the low level of potential risk created by the stack, no further studies in relation to flight paths were considered necessary. The winter bird surveys were primarily designed to determine usage levels in proximity to the site in line with standard survey methodologies. It

is noted however that the vast majority of bird movements recorded during winter bird surveys were associated with the coastline and open channel.

3.3 Southern Waste Management Office

Issue #1: Invasive Species

Submission:

The application identified the presence of Japanese Knotweed in the adjacent field and stated that “national codes of practice” will be followed in relation to its control. Clarification is requested on how the applicant specifically intends to deal with the excavated soil and its subsequent disposal/recovery.

Response:

Section 12.8.3 of the EIS notes that this species occurs outside the proposed boundary of the works area and provides details on a proposed in situ spraying programme. This will be preceded by a repeat survey for invasive species. There is sufficient time available to eradicate this species and the risk of spreading this species during site works is negligible.

3.4 Noonan Linehan Carol Coffey Solicitors, 54 North Main Street, Cork

Issue #1: Assessment under the Habitats Directive

Submission:

The submission noted that the development must be refused by reason of its impacts as assessed under the Habitats Directive.

Response:

A Natura Impact Statement (NIS) was prepared in accordance with the requirements of the Habitats Directive and was submitted to An Bord Pleanála with the application for planning permission in January 2016. Following a comprehensive evaluation of the potential direct, indirect and cumulative impacts on the qualifying interests and conservation objectives for the Cork Harbour SPA, the NIS concluded that the proposed development will not have an adverse effect on the integrity of the Cork Harbour SPA.

Issue #2: Assessment under the EIA Directive

Submission:

The submission noted that the development, when assessed in the manner required by the EIA Directive, merits refusal.

Response:

Potential ecological impacts were appraised in the EIS (Chapter 12 Biodiversity) as required under the EIA Directive. The appraisal did not identify any significant impacts on mammals,

birds, habitats, flora or from the potential spread of invasive species. No significant cumulative impacts on ecology were identified.

Issue #3: Value of the site as a candidate SAC or wildlife preserve (report of S.M. Bennet & Co. Ltd, Hydro-geological and Environmental engineers).

Submission:

The submission suggests that as a seasonal wetland in a marine hinterland with a mixed natural woodland, the site has the potential to become a candidate SAC or wildlife preserve.

Response:

The site was comprehensively assessed for both the 2008 and the current application. The site has no ecological features which would be considered of high conservation value at an international, national or regional level and there is absolutely no evidence to suggest that a EU site designation is warranted. Notwithstanding some ecological features of local value, the site does not support any species or habitats of particularly high value at a local level and is not considered of particular value as a potential wildlife preserve.

4. Conclusion

Due consideration was given to significant ecological constraints early in the project design and where possible avoidance has been used as the primary method of mitigating against potential ecological impacts.

Where avoidance of impacts was not possible, robust mitigation measures are proposed to eliminate or reduce any potential impact on local ecology and the ecology of the wider area. The residual impacts on the biodiversity of the local receiving environment are predicted to range from minor to negligible.

An NIS was submitted to enable the Board as competent authority to conduct the Appropriate Assessment, having examined the proposed development on the basis of, inter alia, the appraisal set out in the NIS.

In light of the information described within the NIS and appraisal of the implications of the project for the European sites concerned, it can be concluded that with the effective implementation of mitigation measures detailed in the NIS and in the EIS, the proposed development, either alone or in-combination with other plans or projects will not result in any adverse effects to the integrity of any European Sites, in view of their conservation objectives.

In particular, with reference to the Cork Harbour SPA considered in the NIS, and applying the precautionary principle, I am of the opinion that it has been demonstrated objectively, with supporting evidence, that there will be no adverse effects on the integrity of the European site concerned, as defined by the conservation objectives and status of those sites.