

29th June 2021**AA SCREENING DETERMINATION**

Of Derries Bog, Co Offaly Decommissioning and Rehabilitation Plan (the “**Project**”)

In accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) (“**Habitats Directive**”) and Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended (“**Habitats Regulations**”), Bord na Móna has undertaken Appropriate Assessment (“**AA**”) screening to assess, in view of best scientific knowledge and the conservation objectives of the European Site(s), if the Project, individually or in combination with other plans or projects is likely to have a significant effect on a European Site(s).

Regulation 42(1) states “A screening for Appropriate Assessment of a plan or project for which [...] a public authority wishes to undertake [...] shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on the European site.”

In this context, particular attention was paid to the European Site(s) listed below:

- River Shannon Callows SAC
- Charleville Wood SAC
- Clara Bog SAC
- Clonaslee Eskers and Derry Bog SAC
- Pilgrim’s Road Esker SAC
- Ferbane Bog SAC
- Fin Lough (Offaly) SAC
- Moyclare Bog SAC
- Mongan Bog SAC
- Mongan Bog SPA
- Middle Shannon Callows SPA
- Slieve Bloom Mountains SPA

Regulation 42(2) “A public authority shall carry out a screening for Appropriate Assessment under paragraph (1) before consent for a plan or project is given, or a decision to undertake or adopt a plan or project is taken.” Having taken the view that the activity required for the Decommissioning and Rehabilitation of Derries Bog might constitute ‘projects’ within the meaning of the Habitats Regulations, Bord na Móna decided that the activities required should be subject to screening for AA pursuant to Regulation 42 of the Habitats Regulations and Article 6(3) of the Habitats Directive.

Tom Donnellan, CEO Bord na Móna, delegated the function of making the determination of the screening for AA to Bord na Móna’s Company Secretary and General Counsel on the 5th May 2021.

In performing this determination of the screening for AA, I had regard to information contained in the following documents:

- 1) Jennings O’Donovan & Partners Limited Screening Report for Appropriate Assessment;
- 2) Jennings O’Donovan & Partners Limited Screening for Appropriate Assessment: Conclusion Statement;

Bord na Móna

3) Appendices to Jennings O'Donovan & Partners Limited Screening Report for Appropriate Assessment, which include Derries Bog Decommissioning and Rehabilitation Plan 2021.

In performing this determination of the screening for AA I also met with and discussed with the following members of staff from Bord na Móna, Doreen King, Project Manager and Chris Cullen, Ecologist and the following members of staff from Jennings O'Donovan & Partners Limited the Planning and Environmental Consultants engaged by Bord na Móna, Pat Doherty and Dr Monica Sullivan.

Having performed screening for AA in respect of the specific activities required for the Decommissioning and Rehabilitation of Derries Bog in accordance with Regulation 42(7) Habitats Directive, I accept the recommendation of Jennings O'Donovan & Partners Limited that following screening **it can reasonably be concluded that there is no likelihood of significant effects to these 12 European Sites because of the proposed project, either alone or in-combination with other plans or projects. Therefore, the potential for significant effects on these 12 European Sites has been excluded, and have been 'Screened Out' from the Appropriate Assessment process and no Appropriate Assessment is required for these European Sites.**

Therefore, Bord na Móna hereby determines that, following screening, an AA is not required for the Project as it is not directly connected with or necessary to the management of any Site(s) as European Site(s) and as it can be concluded, on the basis of objective information, that the project, individually or in combination with other plans or projects is not likely to have a significant effect on any European Site(s) listed above.

Signed:

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Soraya Mallon

Company Secretary and General Counsel