

Appendix 3.1 Sample Scoping Letter, Newspaper Advertisement and Summary of Responses

SAMPLE SCOPING LETTER

13th May 2013

Dear Sir/Madam,

Request for an Environmental Impact Statement In Relation To Strategic Infrastructure Development – Ref. PL11.VA0015

The proposed Laois-Kilkenny Reinforcement Project consists of 8 no. interrelated elements as follows:

- A new 400/110kV GIS substation at Coolnabacky.
- A new connection to Coolnabacky from the existing Moneypoint - Dunstown 400kV line.
- A new connection to Coolnabacky from the existing Athy - Portlaoise 110kV line.
- A new 110kV / 38kV / MV substation in Ballyragget, Co. Kilkenny.
- A new 110kV overhead line between Ballyragget and Coolnabacky.
- An uprate to the existing Ballyragget - Kilkenny 110kV overhead line.
- A new bay in the existing Kilkenny 110kV substation.
- Modifications to existing Athy - Portlaoise 110kV line.

An Bord Pleanála in accordance with Section 182A(5)(a) of the Planning and Development Acts, 2000 to 2012 has requested by letter dated 29th April 2013 that the Applicant, EirGrid plc, furnish an Environmental Impact Statement (EIS) in respect of the proposed electricity transmission infrastructure and associated works in Co. Laois and Co. Kilkenny which are the subject of a Strategic Infrastructure Development application lodged with An Bord Pleanála on 25th January 2013, Ref. PL11.VA0015.

As part of the information gathering process which will inform the structure and content of the EIS to be submitted to An Bord Pleanála, the Applicant seeks inputs from any interested parties in respect of topics and issues to be included in the EIS.

The chapter headings relating to the environmental impact topics to be addressed by the EIS are as follows: human beings and population; landscape and visual impact; cultural heritage; ecology; soils and geology; water; material assets (includes traffic and waste); air and climate. The EIS will also address the interaction of the above, mitigation measures and alternatives considered. The EIS will also have an accompanying Non-Technical Summary which is a condensed version of the EIS in non-technical language which highlights the key issues and findings contained in the EIS.

We write therefore seeking any comments, inputs or views which your organization may have on the structure and contents of an EIS which is proposed to be submitted to An Bord Pleanála.

Any submissions/observations must be received no later than 5.30 pm on **Friday, 14th June 2013** and should be made by way of return email to this address.

Details of the application currently lodged with An Bord Pleanála may be viewed/downloaded at the following website: <http://www.eirgridlaoiskilkenny.ie>

Thank you in advance for your assistance in this matter.

Yours sincerely,

Signatory

NEWSPAPER ADVERTISEMENT

PLANNING AND DEVELOPMENT ACTS, 2000 TO 2012

REQUEST FOR AN ENVIRONMENTAL IMPACT STATEMENT IN RELATION TO STRATEGIC INFRASTRUCTURE DEVELOPMENT – REF. PL11.VA0015



Laois and Kilkenny County Councils

An Bord Pleanála in accordance with Section 182A(5)(a) of the Planning and Development Acts, 2000 to 2012 has requested by letter dated 29th April 2013 that the Applicant, EirGrid plc, furnish an Environmental Impact Statement (EIS) in respect of the proposed electricity transmission infrastructure and associated works in Co. Laois and Co. Kilkenny which are the subject of a Strategic Infrastructure Development application lodged with An Bord Pleanála on 25th January 2013 - Ref. PL11.VA0015.

The proposed Laois-Kilkenny Reinforcement Project consists of 8 no. interrelated elements as follows:

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An EIS is a document which is a statement of the effects, if any, which the proposed development, if carried out, would have on the environment. It assists the decision making authority, interested parties and members of the public to gauge the potential impacts of a given project on the environment. Information on the structure and content of an EIS is given in guidance* documentation issued by the Environmental Protection Agency in 2002 and 2003 (www.epa.ie).

As part of the information gathering process which will inform the structure and content of the EIS to be submitted to An Bord Pleanála, the Applicant seeks inputs from any interested parties (including landowners and general public) in respect of topics and issues to be included in the EIS.

The chapter headings relating to the environmental impact topics to be addressed by the EIS are as follows: human beings and population; landscape and visual impact; cultural heritage; ecology; soils and geology; water; material assets (includes traffic and waste); air and climate. The EIS will also address the interaction of the above, mitigation measures and alternatives considered. The EIS will also have an accompanying Non-Technical Summary which is a condensed version of the EIS in non-technical language which highlights the key issues and findings contained in the EIS.

For reference, details of the application currently lodged with An Bord Pleanála may be viewed/downloaded at the following website: <http://www.eirgridlaoiskilkenny.ie>

The Applicant invites comments from any interested party in relation to the structure and content of the EIS and such submissions are to be received by **Friday, 14th June 2013** at the latest. Submissions should be sent by email to: laoiskilkennyreinforcement@eirgrid.com or by post to: The Project Manager, Laois Kilkenny Reinforcement Project, ESB International, Stephen Court, 18/21 St. Stephen's Green, Dublin 2.

*Guidance in relation to matters which can be considered in an EIS is available in the statutory guidelines issued by the Environmental Protection Agency (EPA), "Guidelines on Information to be contained in Environmental Impact Statements" and the associated "Advice Notes on Current Practice in the Preparation of Environmental Impact Statements" (in particular "Type 20" projects).

SUMMARY OF RESPONSES TO SUBMISSIONS

MADE IN RESPONSE TO NOTICE IN MAY 2013

FOR

ENVIRONMENTAL IMPACT STATEMENT PREPARATION

FOR THE

LAOIS-KILKENNY REINFORCEMENT PROJECT

Section 1 Introduction

This document provides a summary of responses to submissions which were made in response to notice given in May 2013 for the preparation of an EIS for the Laois-Kilkenny Reinforcement Project.

4 no. submissions were made in response to the notice by the following:

- Fáilte Ireland;
- Laois County Council;
- National Roads Authority; and
- National Parks and Wildlife Service

One acknowledgement of receipt of the notice was received from the Department of Agriculture, Food and the Marine and this does not require response.

Section 2 Responses

No.	Name	Summary of Submission Content	Response
1	Fáilte Ireland	<p>This submission comprised Fáilte Ireland's 'Guidelines on the treatment of tourism in an Environmental Impact Statement' which were written with the assistance of one of the EIS Study Team members, Conor Skehan, the author of EIS Section 6 Landscape.</p> <p>The Guidelines provide generic information and guidance under the headings of:</p> <ul style="list-style-type: none"> • Impacts caused by Tourism Projects; • Impacts affecting Tourism; • Tourism in the Existing Environment (the reasons that tourists visit and enjoy Ireland); • Project factors affecting Tourism (New Developments, Social Considerations and Land-uses and Activities); • Project factors affecting Tourism (Existing Tourism, Context, Character, Significance and Sensitivity); • Impacts on Tourism ("Do Nothing" Impact and Predicted impact); and • Mitigating adverse impact on Tourism. 	<p>The generic information and guidance contained in the 'Guidelines on the treatment of tourism in an Environmental Impact Statement' has been taken into account while preparing the EIS.</p> <p>In particular, the Human Beings section of the EIS provides details under a 'Tourism and Amenities' heading in the 'Receiving Environment' section (Section 5.3.4) and a 'Tourism and Amenities' heading in the 'Potential Impact' section while other topics and sections in the EIS address tourism issues as they arise.</p> <p>The mitigation measures provided by the EIS will ensure that the protection of tourism assets is contributed towards.</p>
2	Laois County Council	<p>This submission advises that the structure and content of the EIS to be furnished shall comply with the provisions of Article 94, Part 10, <i>Environmental Impact Assessment, Chapter 1, General</i> of the Planning and Development Regulations 2001, as amended.</p>	<p>The EIS has been prepared in accordance with all relevant provisions of the Planning and Development Regulations 2001, as amended.</p>
3	National Roads Authority	<p>This submission includes recommendations that provide only general guidance for the preparation of the EIS. These are as follows:</p> <ol style="list-style-type: none"> i. Consultations should be had with the relevant Local Authority/National Roads Design Office with regard to locations of existing and future national road schemes; ii. The Authority would be specifically concerned as to potential significant impacts the development would have on any national roads in proximity to the proposed development, N10 and N78; iii. The developer should assess visual impacts from existing national roads; iv. The developer should have regard to any Environmental Impact Statement and all conditions and/or modifications imposed by An Bord Pleanála regarding road schemes in the area. The developer should in particular have regard to any potential cumulative impacts; v. The developer, in conducting Environmental Impact Assessment, should have regard to the NRA Design Manual for Roads and Bridges (DMRB) and the NRA Manual of Contract Documents for Road Works; vi. The developer, in conducting Environmental Impact Assessment, should have regard to the NRA's Environmental Assessment and Construction Guidelines, including the Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes (NRA, 2006); 	<ol style="list-style-type: none"> i. AECOM and ESBI consulted with the relevant local authority engineers in relation to the station sites in Laois and Kilkenny. These sites will have no traffic impact on existing or future national road schemes and there are none proposed in the vicinity of the stations. Operationally the traffic generated will be statistically negligible, and during construction the volumes of traffic will not be significant on the NRN, being temporary and/or occasional; ii. The Traffic Section of the EIS (Section 11.1) examines potential impacts upon national roads in proximity to the proposed development including the N10 and N78. Operationally the traffic generated will be statistically negligible, and during construction the volumes of traffic will not be significant on the NRN, being temporary and/or occasional; iii. Views from national Roads are specifically examined – as part of the methodology, assessment of landscape units as well as assessment of specific views, as follows: <ul style="list-style-type: none"> • In Section 6.3.5 all analysis of the Landscape Units used for Assessment lists views from existing national Roads are listed as a potential 'Sensitivity' for assessment purposes; specifically;- 6.3.5.1 lists Views from the N77.

Summary of Responses to Submissions made in response to notice in May 2013 for
EIS preparation for the Laois-Kilkenny Reinforcement Project

		<p>vii. The EIS should consider the Environmental Noise Regulations 2006 (SI 140 of 2006) and, in particular, how the development will affect future action plans by the relevant competent authority. The developer may need to consider the incorporation of noise barriers to reduce noise impacts (see Guidelines for the Treatment of Noise and Vibration in National Road Schemes (1st Rev., National Roads Authority, 2004));</p> <p>viii. It would be important that, where appropriate, subject to meeting the appropriate thresholds and criteria and having regard to best practice, a Traffic and Transport Assessment Guidelines (2007) (TTA) should be referred to in this regard. The scheme promoter is also advised to have regard to Section 2.2 of the NRA Guidelines which addresses the requirements for sub-threshold TTA;</p> <p>ix. The designers are asked to consult the National Road Authority's DMRB Road Safety Audit (NRA HD 19/12) to determine whether a Road Safety Audit is required; and</p> <p>x. In the interests of maintaining the safety and standard of the national road network, the EIS should identify the methods/techniques proposed for any works traversing/in proximity to the national road network.</p>	<ul style="list-style-type: none"> • Section 6.4.2 lists 'line route crosses a national or regional road' as a factor in determining a 'worst case'. • In the assessment of effects on landscape units Section 6.4.3.1 assesses views from the R432 or the N77 while sections 6.4.3.2 - 6.4.3.5 assess views from the R427. <p>Impacts on specific views from national Roads are assessed using photomontages showing views from N10 [View 1]; R649 [View 2], N77 [View 3], R432 [View 4, 5, 6, 14, 15; R430 [View 20a, 20b, 21]; R428 [View 29, 30a, 30b]; R 427 [View 31, 34]; R426 [View 36];</p> <p>iv. An EIS has been submitted to An Bord Pleanála with the planning application and, if granted, the development will comply with the mitigation measures outlined in the EIS and all conditions and/or modifications imposed by An Bord Pleanála regarding road schemes in the area. Cumulative effects with regard to traffic are addressed under EIS Section 11.1.4.7;</p> <p>v. The EIA had regard to the NRA Design Manual for Roads and Bridges (DMRB) - which is referenced in Sections 11.1.3.4 of the EIS. The NRA Manual of Contract Documents for Road Works is only used to provide design and construction detail on National Road Schemes, and while it would be used where required on the Regional Roads by the local authority, the local authority can specify their own requirements, such as road construction, cross-sectional widths, sightlines on non-national roads;</p> <p>vi. Section 12 of the EIS on Air Quality highlights the impacts the development will have on air quality. The main impacts will be temporary and will involve dust and emissions from construction machinery and equipment. Mitigation measure are included in the EIS to reduce air emissions;</p> <p>vii. The Environmental Noise Regulations are predominantly concerned with long term exposure to noise from transport infrastructure and certain industry. Construction transport noise will occur for a limited short time period and will not be long term in nature. Operational transport noise will be very low associated with routine maintenance visits to the substations mainly on local roads rather than national roads. It will not contribute significantly to traffic numbers and will have no significant impact on future action plans associated with noise from long term transport;</p> <p>viii. The traffic/transportation was undertaken on the basis of accepted guidance on preparation of traffic and transport impact assessment, with regard to the Traffic and Transport Assessment Guidelines (TTAG) published by the National Roads Authority (NRA) in September 2007.</p> <p>The NRA TTAG set out best practice guidance for the preparation of Traffic and Transport Assessments (TTA) and explain the relevance of a</p>
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			<p>TTA in the planning process. Section 2.1 of the guidelines considers the thresholds at which the production of TTAs in relation to planning applications is recommended. These are set out at Tables 2.1.-2.3 of the TTAG, and it is considered from a review of the threshold criteria that the operational traffic impacts for the proposed developments in the Laois-Kilkenny Reinforcement Project would be insignificant (as normal operational conditions will result in very infrequent access by maintenance staff only) and therefore the completed development does not meet any of the automatic or sub-threshold criteria listed in Tables 2.1 - 2.3 of the TTAG.</p> <p>As such, a full TTA is not required. However, having regard to the location of the project and the likely generation of traffic movements by heavy vehicles during the construction period, it was considered appropriate to undertake a comprehensive study of the existing environment, the potential impacts and any mitigation measures required was undertaken as part of the EIA. Key elements of a TTA are also included within this study.</p> <p>ix. Road Safety Audits in accordance with NRA HD19/12 were undertaken on the two sites which would have revised access from the Regional Roads. Road Safety Audits for Coolnaback & Ballyragget are included in Appendices 11.4 & 11.5 of the EIS; and</p> <p>x. Section 11.1.4 examines the impacts the development will have on the national road network. Where stringing of overhead lines traverses public roads, guarding of roads will take place. This includes all roads, including national roads. Guarding is discussed in Section X.XX of the EIS.</p>
4	Dept. of Arts, Heritage and the Gaeltacht	<p>This submission makes the following recommendations:</p> <ul style="list-style-type: none"> i. An ecological survey should be carried out of the proposed development site/route of the cables to survey the habitats and species present. Where ex-situ impacts are possible survey work may be required outside of the development sites. Such surveys should be carried out by suitably qualified persons at an appropriate time of the year depending on the species being surveyed for. The EIS should include the results of the surveys. ii. With regard to any existing records, the data of the National Parks and Wildlife Service (NPWS) should be consulted at www.npws.ie and the data of the National Biodiversity Data Centre at http://www.biodiversityireland.ie/. Reference should be made to the National Biodiversity Plan and any relevant County Biodiversity Plan. iii. The EIS should also address the issue of invasive alien species, such as Japanese Knotweed, and detail the methods required to ensure they are not accidentally introduced or spread during construction. iv. The impact of the development on the flora, fauna and habitats present should be assessed. In particular, the impact of the proposed development should be 	<ul style="list-style-type: none"> i. Various ecological surveys on the project were carried out since 2010. These surveys are identified within EIS Section 6 <i>Ecology</i> and inform the assessment. The surveys have been carried out by suitably qualified persons at appropriate times of the year and have considered ex-situ impacts. ii. The assessment has considered NPWS data (available from www.npws.ie), National Biodiversity Data Centre data (available from www.biodiversityireland.ie), the National Biodiversity Plan and the provisions of Laois and Kilkenny County Councils with regard to biodiversity. Such references are identified as appropriate within the EIS Section 6 <i>Ecology</i> and the Bibliography. iii. The issue of non-native invasive species is considered by the assessment which provides mitigation to minimise the potential for such species to be introduced or spread during construction. iv. The impact of the development on the flora, fauna and habitats present is assessed. This assessment has considered the ecological designations

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	<p>assessed, where applicable, with regard to: Natura 2000 sites, i.e. Special Areas of Conservation (SAC) designated under the EC Habitats Directive (Council Directive 92/43/EEC) and Special Protection Areas designated under the EC Birds Directive (Directive 2009/147 EC); Other designated sites, or sites proposed for designation, such as Natural Heritage Areas, Nature Reserves and Refuges for Fauna or Flora, designated under the Wildlife Acts of 1976 and 2000; Habitats listed on annex I of the Habitats Directive; Species listed on Annexes II and IV of the Habitats Directive; Habitats important for birds; Birds listed on Annex I of the EC Birds Directive; Species protected under the Wildlife Acts including protected flora; Habitats that can be considered to be corridors or stepping stones for the purpose of article 10 of the Habitats Directive; Red data book species; and biodiversity in general.</p> <p>v. In order to assess the above impacts it may be necessary to obtain hydrological and/or geological data. In particular, any impact on water table levels or groundwater flows may impact on wetland sites some distance away. The EIA should assess cumulative impacts with other plans or projects if applicable. Where negative impacts are identified suitable mitigation measures should be detailed if appropriate.</p> <p>vi. Where there are impacts on protected species and their habitats, resting or breeding places, licenses may be required under the Wildlife Acts or derogations under the Habitats Regulations. In particular, bats and otters are strictly protected under annex IV of the Habitats Directive and a copy of Circular Letter NPWS 2/07 entitled "Guidance on Compliance with Regulation 23 of the Habitats Regulations 1997 – strict protection of certain species/applications for derogation licences" can be found on our web site at: http://www.npws.ie/media/npws/publications/circulars/media_6686.en.pdf.</p> <p>In addition, licenses will be required if there are any impacts on other protected species or their resting or breeding places, such as on protected plants, badger setts or birds nests.</p> <p>Hedgerows should be maintained where possible. Where trees or hedges have to be removed there should be suitable planting of native species in mitigation. The EIS should estimate the length of hedgerow that will be lost, if any. Where possible hedges and trees should not be removed during the nesting season (i.e. March 1st to August 31st). Birds nests can only be intentionally destroyed under licence issued under the Wildlife Acts of 1976 and 2000. In order to apply for any such licenses or derogations as mentioned above a detailed survey should be submitted to NPWS, which should have been carried out by appropriately qualified person/s.</p> <p>vii. In accordance with article 6.3 of the Habitats Directive, this project should be subject to appropriate assessment screening and if necessary appropriate assessment. You are referred to the Departmental guidance document on Appropriate Assessment, which is available on the NPWS web at: http://www.npws.ie/media/npws/publications/codesofpractice/AA%20Guidance%2010-12-09.pdf</p>	<p>cited in the submissions, where applicable, as well as wider biodiversity.</p> <p>v. There has been close cooperation between the consultants who prepared EIS Section 6 <i>Ecology</i> and EIS Sections 9 <i>Soils and Geology</i> and 10 <i>Water (Hydrology and Hydrogeology)</i> and findings of the assessment with regard to hydrology and hydrogeology - including those relating to flows and levels - has informed the assessment undertaken on ecology.</p> <p>Cumulative effects with regard to ecology are addressed under EIS Section 8.4.6 while a range of mitigation measures with regard to ecology are detailed under EIS Section 8.5.</p> <p>vi. Whilst the avoidance of sensitive areas is the primary means of reducing the potential impacts, further measures will aim to address unavoidable or unforeseen impacts.</p> <p>With regard to license requirements etc., appropriate measures and procedures will be followed in consultation with NPWS. Details of any pre-construction survey that may be required and the method and the approach to be taken will be outlined in the Construction Environmental Management Plan (CEMP) that is to be drawn up for the construction phase of the project with reference to relevant guidance documents.</p> <p>Guidance developed by the NRA in relation to tree felling and hedgerow removal will be followed throughout the construction phase of the project. These measures will be outlined in detail in the Construction Environmental Management Plan (CEMP). Where hedgerows and treelines are directly impacted at structure locations (including surrounding works areas), reinstatement by planting with native hedgerow species will be undertaken immediately following the completion of construction works with the aim of re-establishing the structure of the hedgerow as soon as possible.</p> <p>viii. The EIS is accompanied by an Appropriate Assessment Natura Impact Statement (NIS) which has been prepared in accordance with the European Commission Methodological Guidance on the provision of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC (European Commission, 2002), the European Commission Guidance 'Managing Natura 2000 Sites' (European Commission, 2000) and with reference to the Department of the Environment and Heritage and Local Government guidance on 'Appropriate Assessment of plans and projects in Ireland' (DEHLG, 2009) and relevant Departmental circulars.</p> <p>The NIS has considered potential impacts on the relevant Natura 2000 sites and their conservation objectives.</p> <p>This EIS has considered extant planning permissions for dwellings and</p>
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EIS preparation for the Laois-Kilkenny Reinforcement Project

	<p>You are also referred to the EU Commission guidance entitled "Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC" which can be downloaded from: http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf.</p> <p>In order to carry out the appropriate assessment screening and/or prepare a NIS you will need to collect information about the relevant Natura 2000 sites including their conservation objectives. Details of designated sites and species can be found on www.npws.ie while conservation objectives, if not yet available on our web site, can be obtained upon request by completing the data request form on our website at: http://www.npws.ie/media/npws/publications/Data%20request%20form.doc</p> <p>You should refer to the various circular letters issued by the National Parks and Wildlife Service of this Department, which can be found at http://www.npws.ie/planning/appropriateassessment/</p> <p>In particular, Circular Letter PD 2/07 and NPWS 1/07 on the use of compliance conditions is relevant and in order to allow for a complete assessment, it is essential that any mitigation measures detailed in the EIS and/or NIS form part of a construction management plan which must be implemented by the successful contractor at construction phase. This must be detailed in the EIS/NIS. It is not possible to adequately assess the impact of the project without knowing the minimum standards and mitigation measures that will be in any construction methodology or plans.</p> <p>It is recommended that you consult with the relevant Local Authorities to determine if there are any projects or plans which alone or in combination could impact on any Natura sites.</p>	<p>other developments with respect to the cumulative impact. Extant planning permissions were taken into account when determining the actual line route at design stage. Where relevant throughout this EIS, the impact of other proposed developments has been considered.</p>
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