

APPROPRIATE ASSESSMENT DETERMINATION

Of

De-silting Activity at Clogh Castlecomer Water Treatment Plant, Loan, Co. Kilkenny

In accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, Uisce Éireann undertook a screening for Appropriate Assessment to assess, in view of best scientific knowledge and the conservation objectives of the site, if the project, individually or in combination with other plans or projects is likely to have a significant effect on European Site(s).

The proposal involves the removal of accumulated silt and gravel from the River Dinan adjacent and parallel to the existing infiltration gallery at Clogh Castlecomer Water Treatment Plant, Loan, Co. Kilkenny.

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

- *River Barrow and River Nore SAC (002162)*
- *River Nore SPA (004233)*

It was not possible to exclude, on the basis of objective scientific information following the screening undertaken, **that the proposed project, individually or in combination with other plans or projects, will have a significant effect on any European Site**. Under Regulation 42(6) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, **Uisce Éireann determined that an Appropriate Assessment was required for the proposed project**.

In accordance with Regulation 42(9) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, a Natura Impact Statement (NIS) was prepared that included all evidence required for the purposes of Appropriate Assessment, in respect of the proposed project. The NIS was submitted to the Minister for Housing, Local Government and Heritage '*not later than six weeks before*' Uisce Éireann '*proposes [...] to undertake the project to which the Natura Impact Statement and evidence relates*'. Uisce Éireann did not conclude the Appropriate Assessment earlier than six weeks after the date on which the NIS was submitted and took account of any submissions made to it by the Minister, as per Regulation 42(10).

Pursuant to Regulation 42(11) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, Uisce Éireann carried out a public consultation whereby the NIS was made available for review by, and submissions or observations sought from, the general public. Uisce Éireann had regard for any submissions or observations received during the public consultation.

The proposed project does not contain any conditions, restrictions or requirements detailed under Regulation 42(17).

Under and in accordance with Regulation 42(11) and the matters detailed in Regulation 42(12), **Uisce Éireann determine**, in view of the best scientific knowledge and the site's conservation objectives, **that the proposed project, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site.**

Full records of the assessment, reports, surveys, consultations, and observations are held by the competent authority and available for public review as requested.

Signed:

A handwritten signature in blue ink, appearing to read 'John Casey', is written over a light blue circular stamp.

JOHN CASEY

CHIEF TECHNICAL ADVISOR

DATE: 10/07/2024