

# National Review on Biodiversity and Companies – Ireland

## BIOSTRAT Project

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## A - National Regulations concerning impact on Biodiversity and their implementation

### 1. In your country do national regulations exist concerning:

#### 1.1. Biodiversity impact assessments ? YES

**If yes, for which type of activities? Industry? Infrastructures (roads, dams etc..)? Agriculture? Others?**

All projects listed in Parts I and II of the First Schedule of The European Communities (Environmental Impact Assessment) Regulations, 1989 require an Environmental Impact Statement (EIS). While the Minister for the Environment has the power to exempt a specific project from this requirement, this provision seems unlikely to be applied to any significant extent.

Examples of projects and associated thresholds, for which an EIA and EIS is required under Part II of the First Schedule, include, but are not limited to, the following:

- Industrial estate development projects where the area would exceed 15 hectares.
- Urban development projects which would involve an area greater than 50 hectares in the case of projects for new or extended urban areas and an area greater than 2 hectares within existing urban areas.
- Waste water treatment plants with a capacity greater than 10,000 population equivalent.
- Oil and gas pipelines exceeding 80 kilometres in length.
- All fish meal and fish oil factories.
- All extraction of petroleum (excluding natural gas).
- All installations for the manufacture of cement.
- All development within an SAC or SPA or Natural Heritage Area

The Local Government (Planning and Development Regulations) 1990 incorporate an additional provision that, at the discretion of the relevant local planning authority, an EIS may be required for projects which are less than the specified thresholds, in terms of quantity, area or other limit. This is a most significant provision, the guiding principle being the extent to which the planning authority considers that the development would be likely to have significant effects on the environment.

The Second Schedule of the 1989 Regulations outlines the following heading as specified information, which shall be included in an EIS:

“A description of the likely significant effect, direct and indirect, on the environment of the development, explained by relevance to its possible impact on:

- Human beings
- Flora
- Fauna
- Soil
- Water
- Air
- Climate
- The landscape
- The interaction between any of the foregoing material assets
- The cultural heritage.

### **1.2. Mitigation/compensation for biodiversity impact ? YES**

Under the Environmental Protection Agency Act 1992 provision is made for fining persons guilty of an offence under the act.

On the opposite side, compensation is paid to landowners who participate in a number of biodiversity enhancing/conservation schemes within their lands. In addition, farmers and aquaculture licence holders whose sites fall within a designated area are paid compensation for loss of earning due to the stricter practices which must be adhered to within these areas.

### **1.3 Are these regulations implemented ? YES**

#### **Who enforces this implementation?**

There are eleven different government sectors in Ireland and a number of these sectors have the power to prosecute damaging activities on biodiversity. The Irish Environmental Protection Agency is the main regulatory authority with responsibility for enforcement and prosecution of any damaging acts caused to Air Quality, Groundwater, Lakes, Rivers and Transitional and Coastal waters. The National Parks and Wildlife Service is the responsible authority for any damage caused within a designated area (SAC, SPA etc).

### **1.4. Does any agency, public or private exist to manage impact evaluations and/or compensations-mitigations (such as mitigation banking...)?**

The Environmental Protection Agency enforces licences issued under the Environmental Protection Agency Act 1992 and 2003 and the Waste Management Act 1996 to 2005. In this regard the agency is responsible for the management and enforcement of actions in Air Quality, Groundwater, Lakes, Rivers and Transitional and Coastal waters

Enforcement activities by EPA inspectors include inspections, audits and emission monitoring. The EPA assess the results of emissions monitoring carried out at licensed facilities to determine any environmental impact of emissions. Other activities include evaluating proposals for new processes, work practices and infrastructure to ensure compliance with Irish and EU legislation.

In addition certain activities that take place in a designated area (SAC, SPA, Natural Heritage Area) known as “Notifiable Actions” require permission from and are monitored by the National Parks and Wildlife Service. The Notifiable Actions vary depending on the type of habitat that is present on the site. Landowners are sent copies of the Notifiable Actions that are relevant to their lands.

## **B - Measures taken by companies (private or public) concerning Biodiversity conservation and research and National B&B**

### **2 - Do the companies in your country (list names for each question)**

#### **2.1. have any accounting of their impacts on biodiversity? YES**

But only if they hold a licence for their activities issued by the EPA.

#### **2.2 Which main measures have they taken to minimize their impacts ?**

Those specified under their licence agreement. This will vary from company to company.

#### **2.3. Do they contribute to the conservation of biodiversity? through which types of actions?**

Rarely, most companies are complying with their licence criteria to minimise their negative impact on biodiversity rather than an attempt to enhance it. Although some exceptions do apply (see Appendix 1 for details).

### **3 - Do you have any National or Regional Business & Biodiversity initiative? Who is managing this initiative? YES**

#### **How is it regulated?**

It is not regulated but it is managed through a government initiative called “Notice Nature”. This is a government-backed campaign is to raise awareness of the importance of biodiversity and to encourage everyone, including business, to play their part in its protection. A number of systems are in place to assist businesses in this regard. They are:

**Environmental Management Systems (EMS):** EMS is a system designed to manage the environmental aspects of a business, the most common being ISO 14001. Together with waste, energy and water many companies are now including the management and improvement of biodiversity both directly and indirectly as part of their EMS.

**Corporate Social Responsibility (CSR):** CSR is becoming an important part of a company's interaction with the local community and environmental projects often take the lead. More and more businesses see biodiversity as a way of interacting with the local community and protecting the habitats in the local area.

**Corporate Policies:** Many companies, in particular multinationals, have a corporate policy in place, which compels them to take action on environmental issues such as biodiversity.

## **4 - Biodiversity research supported by private companies**

### **4.1. Assess the existing or past research activities in partnership with the private sector and public companies in the field of biodiversity.**

#### **For conservation in general**

No information could be sourced for any private or public company partnership in the field of biodiversity research in Ireland.

#### **Focused on the impacts of the companies activities and mitigation or restoration**

No companies in Ireland could be identified that were directly involved in the support of biodiversity related mitigation or restoration other than those indicated in Appendix 1.

## **C - Ecological engineering**

### **5.1. State of the art of Ecological engineering applied to industrial impact assessment and restoration / mitigation in your country.**

Ecological engineering principles have been applied to a number of projects in Ireland. One main area relates to the restoration of raised bogs, previously damaged by peat extraction for the fueling of a number of power stations in Ireland and the production of horticultural products.

Over the period 2004 - 2008 Coillte Teoranta (The state owned forestry company) has worked towards restoring 571.2 hectares of raised bog habitat on its property in the Midland counties. This project is the largest single raised bog restoration project to be undertaken in Ireland. By the end of this project, significant habitat restoration work will have been completed on over 5% of the national area of raised bog conserved in SAC's - a significant contribution to conservation of the most valuable raised bog habitat in Europe. This project area forms part of Coillte's nature conservation programme, and will be managed with nature conservation as the primary management objective into the future. This project will serve as a hands-on demonstration of the best approaches to restoration of raised bog habitats management objective into the future.

#### **Other smaller Projects include:**

##### Wild Bird Conservation Project - Druids Glen Golf Resort

This project involved the enhancement of a riverbank running through a golf club to encourage and increase numbers of the Kingfisher (*Alcedo atthis*) among other bird species. The project involved the creation of special Kingfisher banks and other improvements to the habitat to encourage nesting in the Resort.

##### Mitigation Measures for Nationally Threatened Triangular Club-rush (*Schoenoplectus triqueter*)

This rare and legally protected bulrush is recorded in Ireland only from the River Shannon and a few of its tributaries. In response to a road development project in an area where this species occurs a private consultancy (BEC Consultants) worked with the engineering firm developing the road and the local County Council to develop mitigation measures to minimise the impacts caused to this plant during the construction phase.

The project involved an examination of the genetic variation in the native populations of the Triangular Club-rush using molecular markers in an attempt to determine the population genetic structure and hence potential genetic erosion through the loss of certain colonies. The results showed very little population structure but considerable genetic variation. A sub-sample of the Club-rush plants have been translocated and these plants are currently being stored and monitored and will be returned to the estuary following construction of the tunnel.

**5.2. Please describe examples that could be emphasized during the November meeting.**

The example of the raised bog resotation project outlined above would provide an a good example. Further information on this project can be provided if required.

## **Appendix 1**

Companies in Ireland that have taken measures to enhance/conservate biodiversity other than those simply complying with their statutory licence obligations.

### **Intel Ireland Ltd. Leixlip, Co. Kildare, Ireland**

This subsidiary of a large multinational company is involved in a project to enhance a tributary of the River Liffey, The Rye River which partly flows through its Irish headquarters in Co. Kildare, Ireland.

The Rye River a tributary of the River Liffey is approximately 26km in length and comes into Leixlip, through the Intel Ireland site. The Rye Water is considered one of the most important salmon spawning grounds in the Liffey catchment.

Intel chairs a quarterly meeting of the Friends of the Rye River. It is made up of representatives from local residents, Carton Golf Club, Anglers Club, Fisheries Board, Water Bailiff, Kildare County Council and Aquens Ltd, from University College Dublin to discuss the Rye River which runs through the Intel site. This is a key group of local stakeholders who are concerned about the long term viability of the river and Intel plays a leadership role in terms of bringing together all interested parties and exploring ways the river can be improved. This group monitors the health and well being of the river. Intel hosts the meetings of this group on a regular basis throughout the year. The Rye River has undergone extensive rejuvenation works in the last year funded by Intel and advised by the Rye river group. The enhancement programme was designed by the Central Fisheries Board of Ireland and the work was carried out by the Engineering Services Section of the Office of Public Works (OPW).

### **The Druids Glen Golf Course Newtownmountkennedy, Co. Wicklow, Ireland**

This golf resort commenced a project using its own resources and funding to enhance a river bank within the confines of the golf course to provide nesting sites for Kingfishers and other bird species. This initiative has increased the biodiversity of bird species along the stretch of river in the vicinity of the golf club and is continuously monitored and managed to ensure its success.

**CEMEX Ireland Ltd.**  
**Block A1, East Point Business Park, Dublin 3, Ireland**

CEMEX Ireland Ltd is a supplier of building materials including concrete and stone

**RATHMOLYON LIMESTONE QUARRY**

**Context:**

*Location*

The quarry is located in a rural area in the townland of Tromman, circa 2km northwest of Rathmoylan and 6km due south of Trim.

The quarry has been in operation since 2000.

*Objective*

During the preparation of the first environmental impact statement for the quarry development in 1998, bat species were found roosting in two old stone buildings in the adjoining site. The bat species recorded were Natterers, Whiskered and Brandt bats. The objective was to ensure the quarry operation did not impact on these bat species.

*Solution*

To ensure the quarry operations did not impact on the bats, CEMEX preserved one of the stone buildings. Preservation consisted of the construction of a new roof, fencing off of the area and the provision of appropriate signage.

*Result*

The preserved building housing the bats was preserved and has remained undisturbed since the time of their discovery in 1998.

CEMEX has established links with Bat Conservation Ireland. This building is now a documented conservation area for the bat species identified above. Regular surveys are carried out at the site.

**KILDAVIN SAND & GRAVEL PIT**

**Context:**

*Location*

The site is located in Co. Carlow between Kildavin and Bunclody and is accessed via the N80 National Road.

The pit has been in operation since 1979.

*Objective*

The Kildavin Stream ran through the sand & gravel pit. However, the Stream sterilised considerable reserves located adjacent to the current extraction area at the time.

The Kildavin Stream itself is a spawning ground for salmon adjacent to one of the counties most prestigious rivers, the River Slaney which is renowned for salmon fishing.

Objective was to gain access to reserves without impacting on the Stream.

*Solution*

Divert the Kildavin stream to a new location.

Project was carried out under the guidance of the Eastern Fisheries Board.

Due to the fragile environmental nature of the project, it took some 3 years to design the new river cutting and implement the various bank erosion techniques used by the fisheries board to combat soil erosion and bank stabilisation.

Photographs were taken before and after the project, to determine its success, the finished project had to coincide with the existing area with regards to both visual impact, environmental awareness and overall good company practice.

New salmon spawning beds were positioned at regular intervals along the diverted channel.

The project was completed before October 15, as this is the cut-off date when salmon start to spawn.

*Result*

The Kildavin Stream has been successfully diverted to the complete satisfaction of the Eastern Fisheries Board.

The Stream diversion has unlocked previously sterilised sand & gravel reserves.

**DUNMORE SAND & GRAVEL PIT**

**Context:**

*Location*

The site is located in Dunmore, Co. Kilkenny, along the N77 National Road.

The Pit has been in operation since 1974.

*Objective*

Site visits confirmed presence of sand martins and smooth newts martins and smooth newts have been preserved and will remain undisturbed. Heavy machinery will not be used above any faces where nesting colonies are present

*Result*

Sand Martin & Smooth Newt populations have been preserved at the site and will not be impact upon as a result of future extraction works at the site.