

# **Habitats Directive - Appropriate Assessment Screening Report**

## **R558 Fenit Road Improvement Proposals at Gaynor's bends, Ballymakegoge, Co Kerry**

IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 6  
OF THE  
EU HABITATS DIRECTIVE 92/43/EEC



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August 2017

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# 1. Introduction

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## Introduction

Kerry County Council is seeking to progress road improvement works on the R558 Regional Roadway between Tralee Town and Fenit Harbour. As part of this, realignment is proposed at Gaynor's bends, Ballymakegoge, Co Kerry. The existing carriageway in the vicinity of Gaynor's bends has been identified as being sub-standard in terms of its width and alignment. This is especially the case for port related heavy goods traffic including the extra long loads associated with Liebherr Container Cranes Ltds who have a significant manufacturing facility in Killarney.

The R558 while a regional roadway is recognised as being of strategic importance within the Region (Table 5.1 South West Regional Planning Guidelines 2010). These guidelines highlight its importance linking Fenit Port with the Tralee - Killarney linked hub. It is a busy route, particularly in the summer season as it forms part of the 'Wild Atlantic Way', a touring route of international renown. The following extract from S5.5.14 of the Regional Guidelines indicates the Regional importance of the port and its access roads:- *'The maintenance and ongoing development of Fenit Port and its access roads is a critical element of the Tralee/Killarney Hub infrastructure providing an additional transportation linkage and facilitating existing industry in the area. In addition, it is the maritime leisure and activity base of the Linked Hub. These roles must be protected and sustainably developed to ensure the role of the Hub towns expand to reach their potential'*.

The proposed works area would in places adjoin the Tralee Bay and Magharees Peninsula, West to Cloghane SAC (Site Code 002070) and the Tralee Bay Complex SPA (Site Code 004188). A number of other Natura 2000 sites are located in the wider area but there are no connecting pathways between the proposed works (source) and these Natura 2000 sites (receptors). This report constitutes a Stage 1 Appropriate Assessment Screening report, which considers the likelihood of significant effects on Natura 2000 Sites of permitting the project.

## Habitats Directive Requirements

Natura 2000, as an EU wide network of nature protection areas, is the centrepiece of EU nature & biodiversity policy. The aim of this network is to assure the long-term survival of Europe's most valuable and threatened species and habitats. Natura 2000 is not a system of strict nature reserves where all human activities are excluded. While the network includes nature reserves, most of the land is privately owned, with the emphasis on ensuring that future management is sustainable, both ecologically and economically. Natura 2000 sites, also known as European Sites, incorporate Special Protection Areas (SPAs) designated under the 1979 Birds Directive and Special Areas of Conservation (SAC) designated by Member States under the 1992 Habitats Directive, as well sites awaiting final approval, *i.e.* potential Special Protection Areas (pSPA) and candidate Special Areas of Conservation (cSAC). The Habitats Directive was transposed into Irish law by the European Communities (Natural Habitats) Regulations, SI 94/1997.

As per the requirements of the Habitats Directive, projects can only be permitted after having ascertained that there will be no significant adverse effect on the integrity of the sites in question. This was reinforced in the European Court of Justice (ECJ) ruling against Ireland (Case 418/04). The European Union has provided guidance as to how to make a Habitats Directive Assessment which identifies four main stages in the process as outlined below. Each stage determines whether a further stage in the process is required. If, for example, the conclusions at the end of Stage One are that there will be no significant impacts on the Natura 2000 site, there is no requirement to proceed further.

#### Stage One: Screening

*The process which identifies the likely impacts upon a Natura 2000 site of a project or plan, wither alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant.*

Where significant effects cannot be ruled out, beyond reasonable scientific doubt, at screening stage, a Natura Impact Statement (NIS) report providing a more detailed analysis of the potential effects of a proposed project on Natura 2000 Sites is required. It is the responsibility of the proponent of the plan or project to have a NIS prepared for submission to the Competent Authority in order to assist in the undertaking of an Appropriate Assessment (AA).

#### Stage Two: Appropriate assessment

*The consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts.*

#### Stage Three: Assessment of alternative solutions

*The process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site. It would be contrary to the requirements of the Habitats Directive to permit an option which would have adverse impacts on the conservation objectives of a Natura 2000 site, if non-harmful alternative solutions have been identified.*

#### Stage Four: Assessment where no alternative solutions exist and where adverse impacts remain

*An assessment of compensatory measures, where in the light of an assessment of imperative reasons of overriding public interest, it is deemed that the project or plan should proceed.*

### **Guidance Documents**

This Appropriate Assessment Screening Report has been undertaken 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 (EC, 2001) and the European Commission Guidance 'Managing Natura 2000 sites' (EC, 2000) and guidance prepared by the NPWS (DoEHLG, 2009). Regard was also had to the European Commission (2007): Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC. Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the Commission and to NPWS reports outlining 'The Status of EU Protected Habitats and Species in Ireland'.

### **Stage one Appropriate Assessment Screening Methodology**

As set out in the NPWS guidance, the task of establishing whether a plan or project is likely to have an effect on a Natura 2000 site is based on a preliminary impact assessment using available information and data and other available environmental information, supplemented as necessary by local site information and ecological surveys. This is followed by a determination of whether there is a risk that the effects identified could be significant, and if so an Appropriate Assessment (AA) is required. The need to apply the precautionary principle in making any key decisions in relation to the tests of AA has been confirmed by European Court of Justice case law. Therefore, where significant effects are likely, possible or uncertain at screening stage, AA will be required.

This Appropriate Assessment Screening exercise will be systematically set out in the following manner:-

2. Establish whether the Plan or Project is necessary for the management of a Natura 2000 site.
3. Description of the Plan or Project.
4. Identification of Natura 2000 sites potentially affected.
5. Identification and description of individual and cumulative impacts of the project.
6. Assessment of the significance of the impacts on the integrity of Natura 2000 sites (through the use of key indicators).
7. Conclusion of Screening Report.

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## **2. Establish whether the plan or project is necessary for the management of a Natura 2000 Site**

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## **2.1 Introduction**

Plans or projects that are directly connected with or necessary to the nature conservation management of a Natura 2000 site are essentially exempt from further AA related consideration. The DEHLG 2010 Circular NPW 1/10 & PSSP 2/10, outlines that such exceptions will be comparatively rare and it is recommended that the reasons and justifications, and any possible wider effects and mitigation measures, are assessed and recorded in advance of the decision to proceed in each case, together with evidence of consultation with the appropriate National Parks and Wildlife (NPW) officials of the Department.

## **2.2 Assessment**

It is considered that this project is not one which is necessary for the management of a Natura 2000 site and therefore AA Screening is required.

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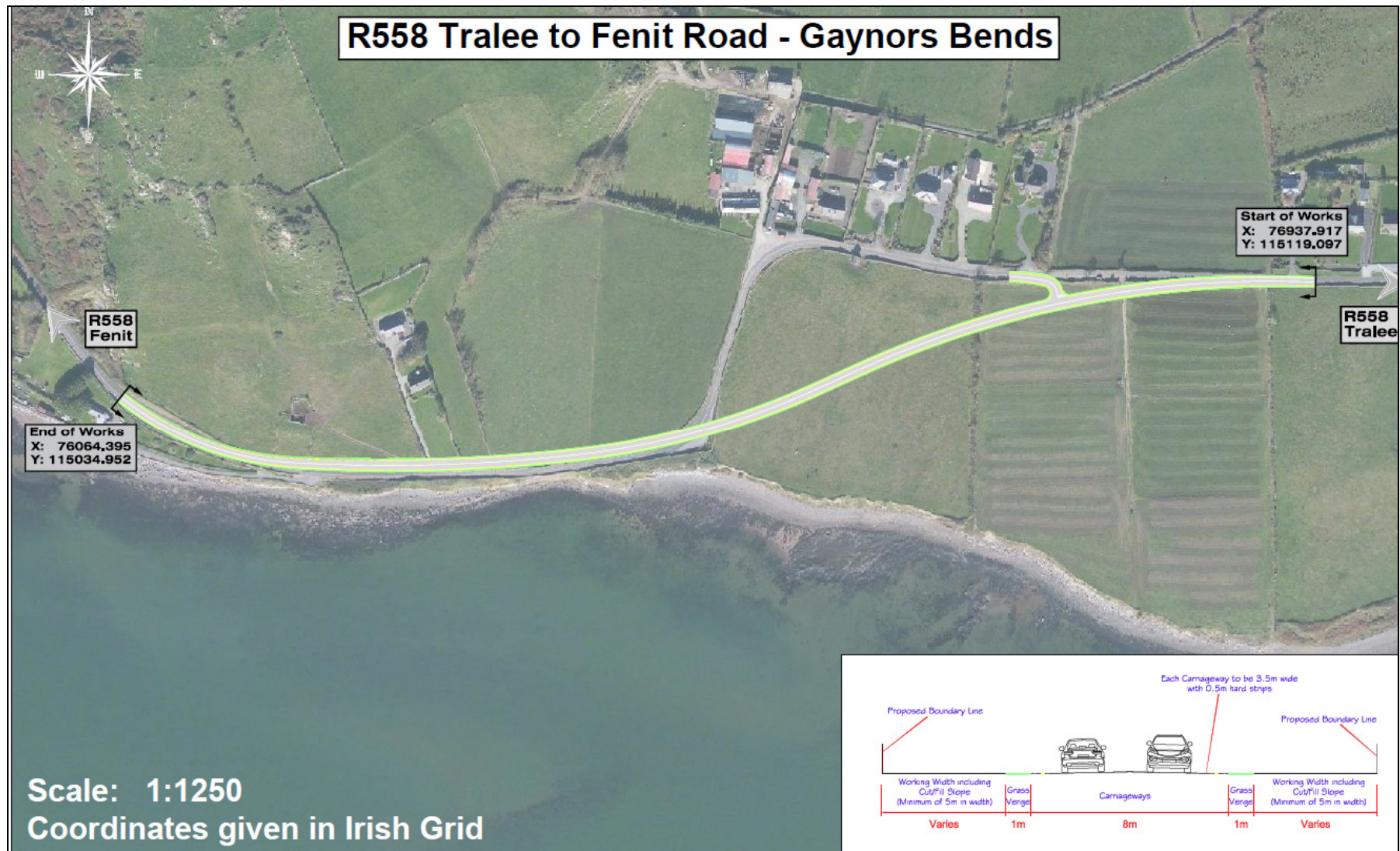
## **3. Description of the Project**

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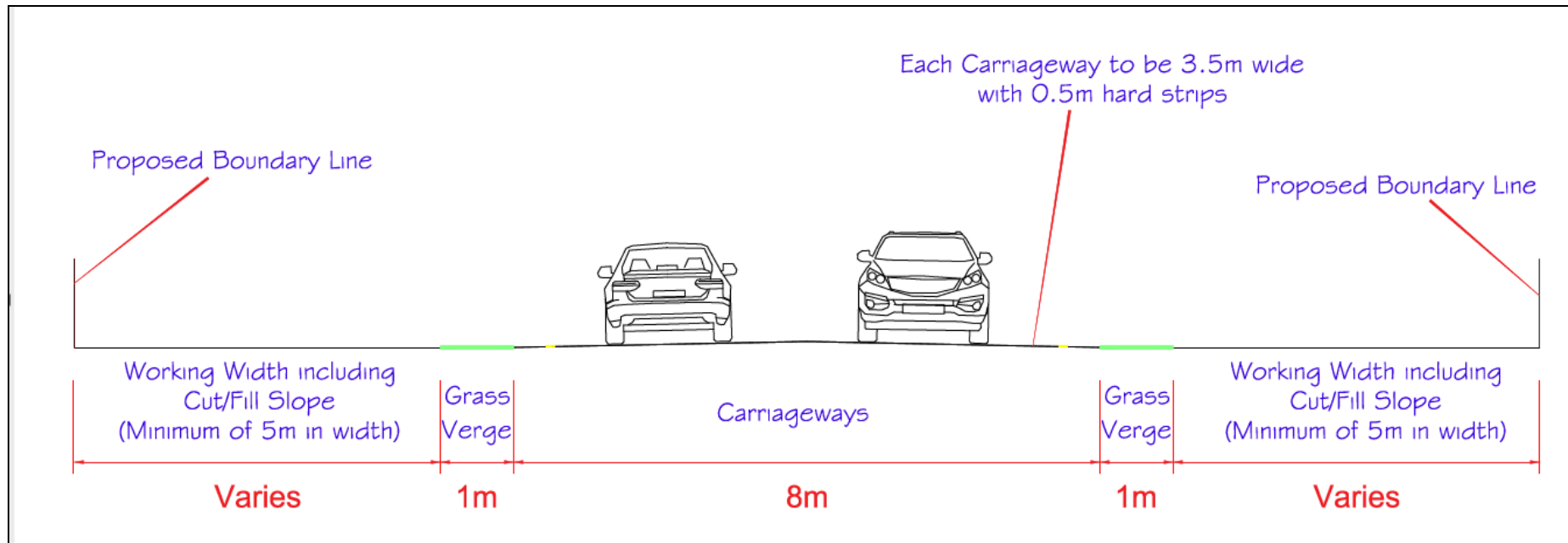
## R558 GAYNORS BENDS ROAD IMPROVEMENT SCHEME LOCATION PLAN

<p><b>KERRY COUNTY COUNCIL</b> <b>OPERATIONS DESIGN OFFICE</b></p> <p><small>Author: J. O'Sullivan Date: 10/10/2018 Project: R558 Gaynors Bends Road Improvement Scheme Drawing: R558 Gaynors Bends Road Improvement Scheme - Location Plan Scale: 1:50,000 Status: For Information</small></p>	<p>1. This map is based on Ordnance Survey data.</p> <p>2. All rights reserved in this map, and any other rights in this map, are reserved to Ordnance Survey, and no part of this map may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage or retrieval system, without the prior written permission of Ordnance Survey.</p> <p>3. These maps are used under the Licensing Agreement between the Ordnance Survey and the Department of the Environment, Heritage and Local Government.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Sheet</th> <th>Scale</th> <th>Date</th> </tr> <tr> <td>1 of 1</td> <td>1:50,000</td> <td>10/10/2018</td> </tr> </table>	Sheet	Scale	Date	1 of 1	1:50,000	10/10/2018	<p><b>R558 Gaynors Bends Road Improvement Scheme</b></p> <p><b>Location Plan</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Sheet</th> <th>Scale</th> <th>Date</th> </tr> <tr> <td>1 of 1</td> <td>1:50,000</td> <td>10/10/2018</td> </tr> </table>	Sheet	Scale	Date	1 of 1	1:50,000	10/10/2018	<p>Project No: 1023-17</p>
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The proposed works will result in realignment of the roadway at this location. The length of the proposed scheme is approx 905m and the final paved width would be 8m. Improvement works also include the provision of 1m grass verges and a working space either side between the grass verges and the proposed boundary lines. Drainage channels and boundary treatment are also included. Also provided for is 1 No. junction to serve the bypassed road. The proposed widening will require contour re-profiling works to the west. Boundary treatment / fencing, a mammal underpass, water quality protection measures and invasive species management / landscaping, are provided for in line with best practice NRA (TII) Guidelines.

<b>Characteristics of the Plan or Project</b>	
Size, scale, area, land take	The scheme measures approximately 905m in length. The proposal provides for a junction to serve existing dwellings and farms.
Details of physical changes that will take place during the various stages of implementing the proposal	<ul style="list-style-type: none"> <li>• Construction of a road pavement to appropriate standard.</li> <li>• Construction of 1 No road junction.</li> <li>• Construction of a controlled drainage network including a mammal underpass.</li> <li>• Installation of safety barrier where required.</li> <li>• Signing and road lining to appropriate standard.</li> <li>• Removal of some existing road boundaries.</li> <li>• Retention of existing seaward boundary.</li> <li>• Proposed new boundaries will generally be fencing.</li> <li>• Clearance of vegetation/boundaries within the land take area.</li> <li>• Areas of cut and fill including rock to the west of the scheme.</li> <li>• Construction of accommodation works.</li> <li>• Landscaping works.</li> <li>• Traffic disruption during the construction stage.</li> <li>• Possible diversion of utilities / services.</li> </ul>
Description of resource requirements for the construction/operation and decommissioning of the proposal (water resources, construction material, human presence etc)	<ul style="list-style-type: none"> <li>• Supervisory staff and construction workers.</li> <li>• Pavement Material inc asphalt/bituminous material and clause 804 material (crushed stone).</li> <li>• Other typical road building materials including; drainage and ducting materials, geotextiles, fencing, safety barriers, signage, road lining and concrete.</li> <li>• Temporary Stores and Offices.</li> <li>• Haulage and excavation plant associated with earthworks and other works. – It is intended to maximise use of site won earthworks material. Any imported or exported earthworks materials are not expected to be significant and where imported will be sourced from local (authorised) quarries.</li> </ul>
Description of timescale for the various activities that	It is anticipated that works will take a maximum of 1 year to complete.

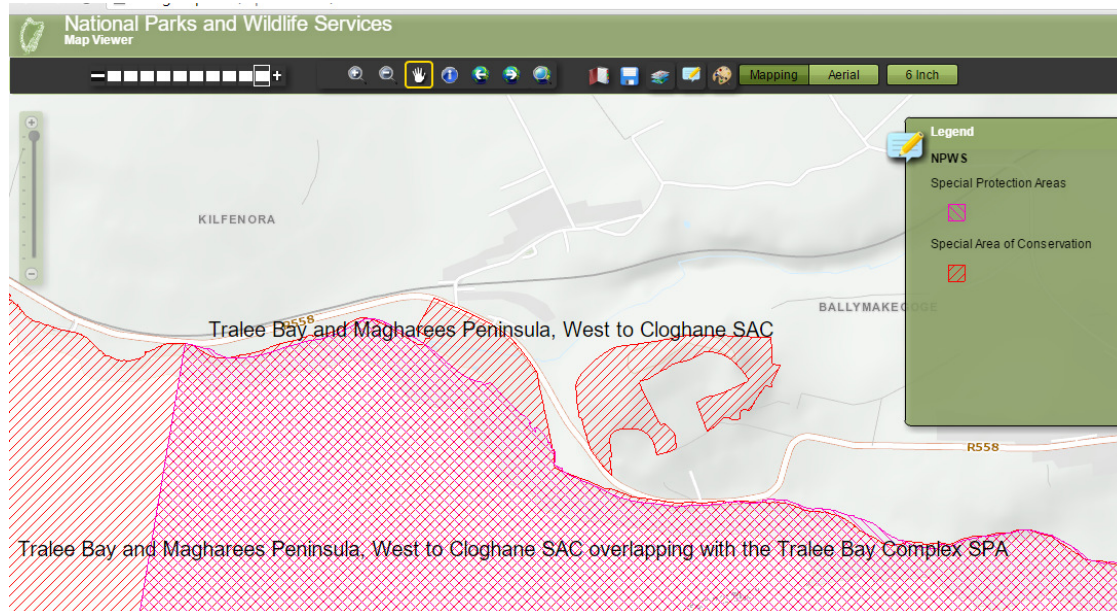
<b>Characteristics of the Plan or Project</b>	
will take place as a result of implementation (including likely start and finish date)	
Description of wastes arising and other residues (including quantities) and their disposal	Wastes arising from this project will be typical of road construction projects. It is intended to re-use material won on site. Additional material will be disposed of to authorised place(s) of disposal. The project construction will be undertaken in accordance with the NRA / TII Guidelines for the Management of Waste from National Road Construction Projects (Revision 1, 12 November 2014). Potential also exists for dust emission and soiled water run-off.
Description of any additional services required to implement the project or plan, their location and means of construction	Site services – Temporary site compound – Traffic management – Portable toilets – Materials storage areas
Other	This proposal will result in noise and increased human presence during the construction phase.

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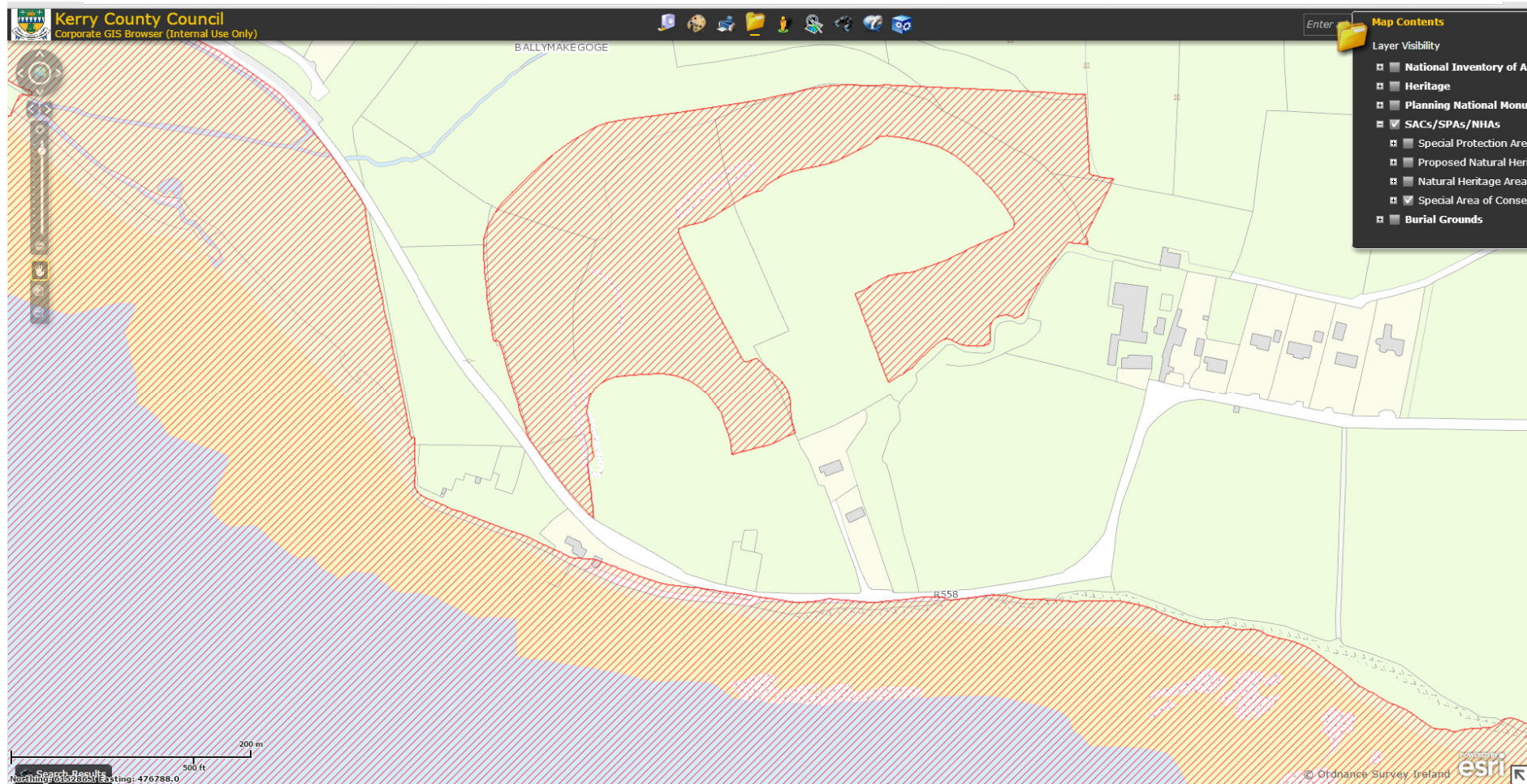
## 4. Identification of Natura 2000 Sites potentially affected

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This road is located in close proximity to and in places adjoins the Tralee Bay and Magharees Peninsula, West to Cloghane SAC (Site Code 002070) and the Tralee Bay Complex SPA (Site Code 004188) Natura 2000 sites. The designations extend landwards as far as the existing R558 roadway, while a rock outcrop to the northwest is also located within the SAC. A number of other Natura 2000 sites are located within the wider area but having regard to the location, nature and scale of the project, it is considered that significant effects on these sites is not likely, either from the proposed project on its own or in combination with other plans and projects. As part of this, NPWS maps and data as well as hydrological data were taken into account. The Akeragh, Banna and Barrow Harbour SAC is located approx 2Km to the northwest but is not hydrologically connected to the site.

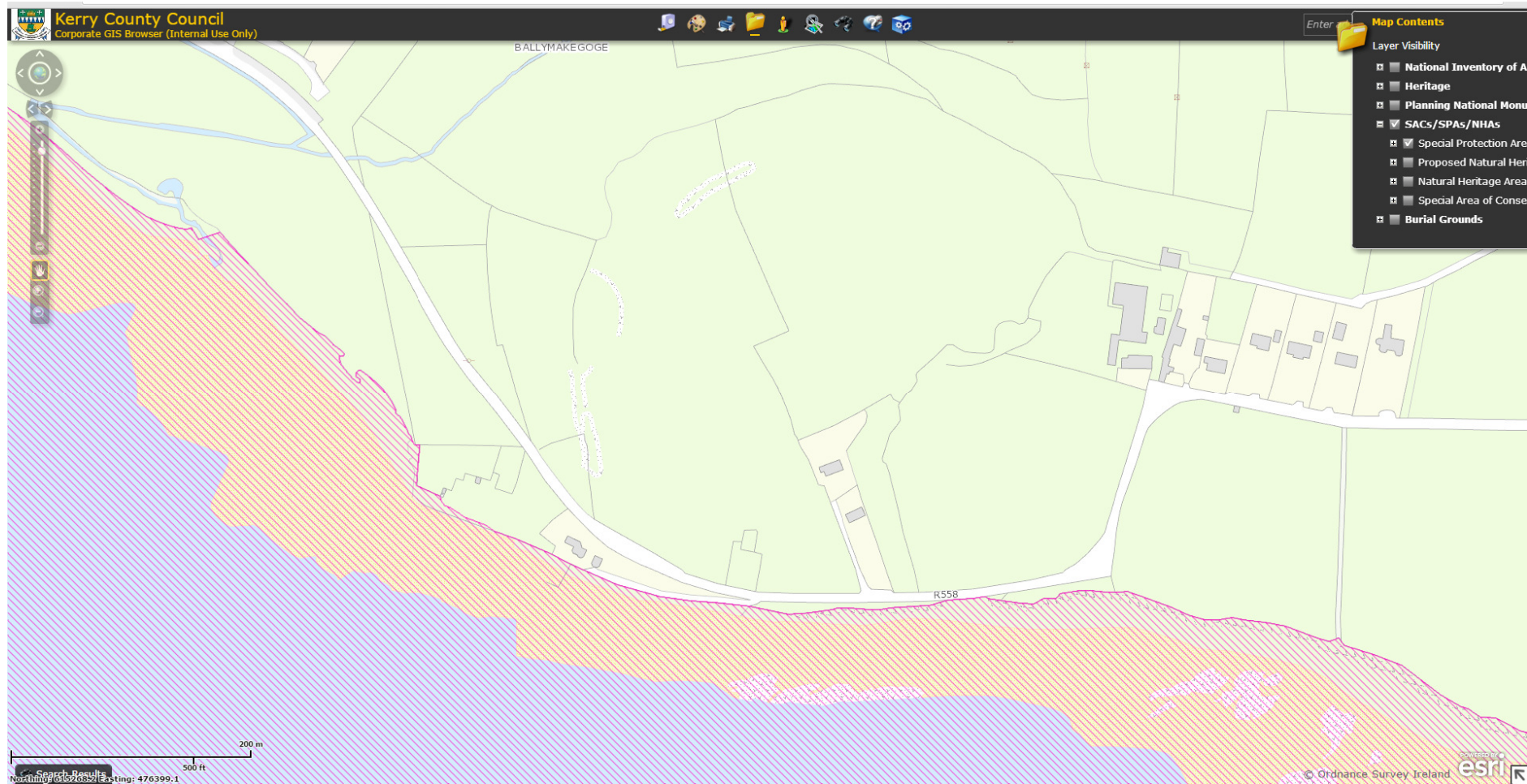


**Above: Natura 2000 sites adjoining the development site**



**Above: Tralee Bay and Magharees Peninsula, West to Cloghane SAC (Site Code 002070)**





**Above: Tralee Bay Complex SPA (Site Code 004188)**

Natura 2000 sites located in the wider vicinity include:-

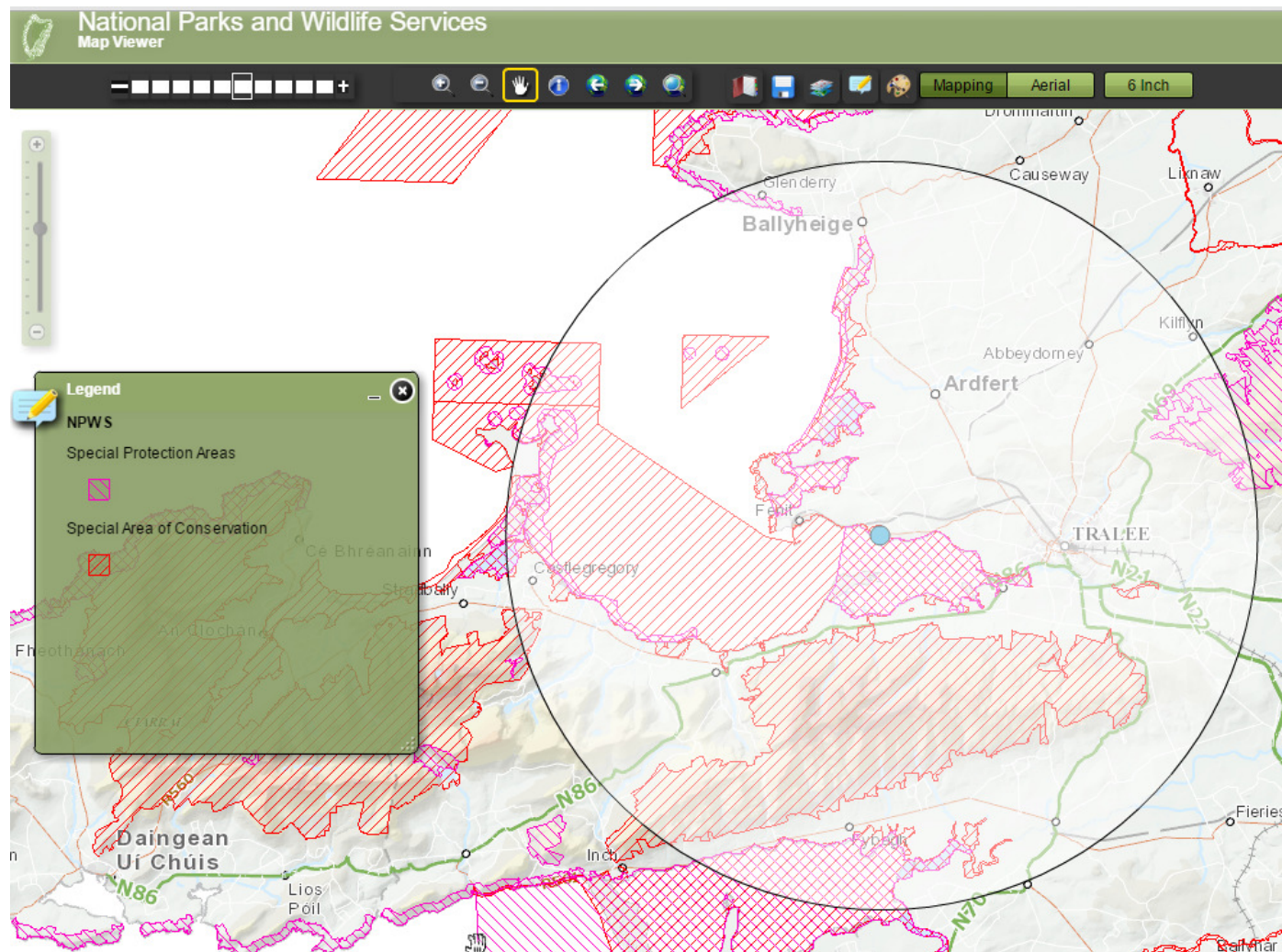
**Special Areas of Conservation**

- Ballyseedy Woods SAC (Site Code 002112)
- Slieve Mish Mountains SAC (Site Code 002185)
- Tralee Bay and Magharees Peninsula West Cloghane SAC (Site Code 002070)
- Castlemaine Harbour SAC (Site Code 000343)
- Akeragh, Banna and Barrow Harbour SAC (Site Code 000332)
- Mount Brandon SAC (Site Code)
- Magharees Islands SAC (Site Code 002261)
- Lower Shannon SAC (Site Code 002165)

**Special Protected Areas:**

- Tralee Bay Complex SPA (Site Code 004188)
- Magharee Islands SPA (Site Code 004125)
- Akeragh, Banna and Barrow Harbour SPA (Site Code 004079)
- Stack's To Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (Site Code 004161)
- Castlemaine Harbour SPA (Site Code 004029)
- Kerry Head SPA (Site Code 004189)





**Above: Map showing Natura 2000 sites within the wider vicinity of the proposed development (15km)**

Natura 2000 Site	Reason for designation	Environmental conditions necessary to support site integrity	Identification of Natura 2000 sites potentially affected
<p>Tralee Bay and Magharees Peninsula West Cloghane SAC (Site Code 002070)</p>	<p>The site is a candidate SAC selected for lagoon, fixed dunes and alluvial forests, all priority habitats on Annex I of the E.U. Habitats Directive. The site is also selected as a candidate SAC for other habitats listed on Annex I of the directive – perennial vegetation of stony banks, drift line vegetation, estuaries, reefs, Marram dunes, dune slack, dunes with Creeping Willow, <i>Salicornia</i> mudflats, tidal mudflats, large shallow inlets and bays, Atlantic saltmarsh and Mediterranean saltmarsh.</p> <p>In addition, the site is also selected as a candidate SAC for the liverwort, Petalwort and the Otter, a plant and animal species listed on Annex II of the E.U. Habitats Directive. The site also contains a rare, semi-aquatic snail, <i>Vertigo angustior</i> and the Natarjack toad which are species listed on Annex II of the EU Habitats Directive.</p> <p>Tralee Bay, including Lough Gill, is also an internationally important wetland for wintering</p>	<p>Habitat Management (control of drainage, aquaculture, fishing, grazing / mowing, burning, fertiliser / lime input, reseeding, dumping, tree felling, killing / removal of significant biological material, pesticide use etc)</p> <p>No significant erosion / trampling / accretion associated with human impacts (drainage, fires, peat extraction, livestock grazing, motorised vehicles, recreational activities etc).</p> <p>Adequate water supply (limited water abstraction etc)</p> <p>Good water quality (limited sediment input, limited nutrient input, limited industrial effluent input etc)</p> <p>Limited alteration of the banks, bed or flow of watercourses</p>	<p>The development site adjoins this Natura 2000 site. It is noted that Otter are listed as conservation interests in this Natura 2000 site.</p> <p>Potential exists for the lands to be functionally linked i.e. the lands may play a role in maintaining or restoring populations of qualifying species listed for protection in these Natura 2000 sites.</p>

	<p>waders and wildfowl. Species present which are listed on Annex I of the E.U. Birds Directive include Whooper Swans (24, mid-1980s), Golden Plover (3053, 1994-95) and Bar-tailed Godwit (903, 1995-96). The dunes also provide an important feeding ground for Chough, a resident Annex I species</p> <p><b>Conservation Objectives</b> To maintain the favourable conservation condition of the following habitats and species in Tralee Bay and Magharees Peninsula, West to Cloghane SAC:-</p> <ul style="list-style-type: none"> <li>• 1130 Estuaries</li> <li>• 1140 Mudflats and sandflats not covered by seawater at low tide</li> <li>• 1160 Large shallow inlets and bays</li> <li>• 1170 Reefs</li> <li>• 1220 Perennial vegetation of stony banks</li> <li>• 1310 Salicornia and other annuals colonising mud and sand</li> <li>• 1330 Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>)</li> <li>• 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</li> <li>• 2120 Shifting dunes along the shoreline with</li> </ul>	<p>No change in land use which would result in significant habitat loss or fragmentation (human activities such as land improvement / reclamation, afforestation, deforestation, development, track / roadway provision etc)</p> <p>Limited disturbance (light, noise, human activity including recreational pressure walking, horse riding, motorised and non motorised vehicle use, camping and caravanning, bait digging etc)</p> <p>Limited compaction by motorised vehicles etc</p> <p>Control on fish stocking and introduced or invasive species.</p> <p>Presence of suitable quiet stretches of river for Otters</p> <p>Limited dredging activities</p> <p>No significant accumulation of organic material in sensitive water bodies.</p>	<p>Potential for impact on this Natura 2000 Site cannot be ruled out at this preliminary stage of the screening process.</p>
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	<p><i>Ammophila arenaria</i> (white dunes)</p> <ul style="list-style-type: none"> <li>• 2170 Dunes with <i>Salix repens ssp. Argentea</i> (<i>Salix arenariae</i>)</li> <li>• 6410 <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>)</li> </ul> <p>To maintain the favourable conservation condition of the following species in Tralee Bay and Magharees Peninsula, West to Cloghane SAC:-</p> <ul style="list-style-type: none"> <li>• 1355 Otter <i>Lutra lutra</i></li> <li>• 1395 Petalwort <i>Petalophyllum ralfsii</i></li> </ul> <p>To restore the favourable conservation condition of the following habitats in Tralee Bay and Magharees Peninsula, West to Cloghane SAC:-</p> <ul style="list-style-type: none"> <li>• 1150 Coastal lagoons</li> <li>• 1210 Annual vegetation of drift lines</li> <li>• 2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes)</li> <li>• 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)</li> <li>• 2190 Humid dune slacks</li> <li>• 91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion)</li> </ul>	<p>No physical barriers to significantly restrict movement of sand and communities associated with mobile substrate</p> <p>Lack of physical constraints &amp; ability to modify dune distribution in response to natural dynamic coastal processes</p> <p>No significant change in water clarity and average light attenuation</p> <p>No significant change in temperature and salinity of the water</p> <p>No significant aggregate extraction</p>	
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	incanae, Salicion albae) – (Habitats Directive Priority Habitat type)		
<p>Tralee Bay Complex SPA (Site Code 004188)</p>	<p>This site is of high ornithological importance as it supports an internationally important population of Brent Goose and a nationally important population of at least one further species, Ringed Plover.</p> <p><b>Conservation Objectives</b> To maintain the favourable conservation condition of the following species in the Tralee Bay Complex SPA:-</p> <ul style="list-style-type: none"> <li>• A038 Whooper Swan <i>Cygnus Cygnus</i></li> <li>• A046 Brent Goose <i>Branta bernicla hrota</i></li> <li>• A048 Shelduck <i>Tadorna tadorna</i></li> <li>• A050 Wigeon <i>Anas penelope</i></li> <li>• A052 Teal <i>Anas crecca</i></li> <li>• A053 Mallard <i>Anas platyrhynchos</i></li> <li>• A054 Pintail <i>Anas acuta</i></li> <li>• A062 Scaup <i>Aythya marila</i></li> <li>• A130 Oystercatcher <i>Haematopus ostralegus</i></li> <li>• A137 Ringed Plover <i>Charadrius hiaticula</i></li> <li>• A140 Golden Plover <i>Pluvialis apricaria</i></li> <li>• A142 Lapwing <i>Vanellus vanellus</i></li> <li>• A144 Sanderling <i>Calidris alba</i></li> <li>• A149 Dunlin <i>Calidris alpina alpina</i></li> </ul>	<p>Habitat Management (control of drainage, aquaculture, grazing, fishing etc)</p> <p>Good water quality</p> <p>No significant erosion associated with human impacts (livestock grazing, recreational activities, motorised vehicles, drainage etc).</p> <p>No change in land use which would result in significant habitat loss or fragmentation (human activities such as land improvement / reclamation, afforestation, development, track / roadway provision, dumping etc)</p> <p>Limited disturbance (noise, human activity including recreational pressure / walkers / free-running dogs, sailing activities and bait-digging etc)</p> <p>The control of introduced or invasive species</p>	<p>The development site adjoins this Natura 2000 site</p> <p>Potential exists for the lands to be functionally linked i.e. the lands may play a role in maintaining or restoring populations of qualifying species listed for protection in these Natura 2000 sites.</p> <p>Potential for impact on this Natura 2000 Site cannot be ruled out at this preliminary stage of the screening process.</p>

	<ul style="list-style-type: none"> <li>• A156 Black-tailed Godwit <i>Limosa limosa</i></li> <li>• A157 Bar-tailed Godwit <i>Limosa lapponica</i></li> <li>• A160 Curlew <i>Numenius arquata</i></li> <li>• A162 Redshank <i>Tringa totanus</i></li> <li>• A169 Turnstone <i>Arenaria interpres</i></li> <li>• A179 Black-headed Gull <i>Chroicocephalus ridibundus</i></li> <li>• A182 Common Gull <i>Larus canus</i></li> </ul> <p>To maintain/restore the favourable conservation condition of A141 Grey Plover (<i>Pluvialis squatarola</i>) in the Tralee Bay Complex SPA</p> <p>To maintain the favourable conservation condition of the wetland habitat in Tralee Bay Complex SPA as a resource for the regularly-occurring migratory waterbirds that utilise it.</p>		
Ballyseedy Woods SAC (Site Code 002112)  Slieve Mish Mountains SAC (Site Code 002185) Castlemaine Harbour SAC (Site	Various – as outlined in the (draft) conservation objectives for the sites. Refer to Appendix A and <a href="http://www.NPWS.ie">www.NPWS.ie</a> for more details.	Various – as outlined in the Habitats Directive Assessment prepared for the South West Regional Planning Guidelines 2010-2022. Refer to Appendix A for more details.	The lands which are the subject of this proposal are not considered to be functionally linked to these Natura 2000 sites.  There are no connecting

Code 000343) Akeragh, Banna and Barrow Harbour SAC (Site Code 000332)  Mount Brandon SAC (Site Code) Magharees Islands SAC (Site Code 002261)  Lower Shannon SAC (Site Code 002165))  Magharee Islands SPA (Site Code 004125)  Akeragh, Banna and Barrow Harbour SPA (Site Code 004079)  Stack's To Mullaghareirk			pathways between the development (source) and these Natura 2000 sites (receptors).  No significant impacts are considered to be likely in this instance.
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Mountains, West Limerick Hills and Mount Eagle SPA (Site Code 004161)			
Castlemaine Harbour SPA (Site Code 004029)			
Kerry Head SPA (Site Code 004189)			

#### **Natura 2000 sites identified with potential to be affected**

The Tralee Bay and Magharees Peninsula, West to Cloghane SAC (Site Code 002070) and the Tralee Bay Complex SPA (Site Code 004188) Natura 2000 sites have been identified as having potential to be impacted by way of this proposal. The special interest of these sites is therefore further considered in the tables below:-

<b>Natura 2000 Site: Tralee Bay and Magharees Peninsula, West to Cloghane SAC (Site Code 002070)</b>	
<b>3.2a Description of the Natura 2000 Site</b>	
Name	Tralee Bay and Magharees Peninsula, West to Cloghane SAC (Site Code 002070)
Site designation status	Special Area of Conservation (SAC)
Natura 2000 Site Description	This large site stretches from Tralee town westwards to Fenit Harbour and Cloghane, encompassing Tralee Bay, Brandon Bay and the Magharees Peninsula. It includes extensive mudflats at the eastern end, the beaches of Derrymore Island, the sand dunes and lagoons of the Magharees Peninsula as well as the rocky headlands at its end. The site includes two Statutory Nature Reserves, Tralee Bay and Derrymore Island, and much of the estuarine part of

Natura 2000 Site: Tralee Bay and Magharees Peninsula, West to Cloghane SAC (Site Code 002070)	
3.2a Description of the Natura 2000 Site	
	<p>the site has been designated an SPA.</p> <p>Both the Tralee and Brandon (Owenmore) estuaries feature wide expanses of sheltered intertidal flats, often fringed with saltmarsh vegetation. The majority of Tralee Bay is shallow and composed of sublittoral sediments. In the more sheltered areas of the bay, there is a variety of important sublittoral sediment communities in which a number of rare species occur.</p> <p>More information on this Natura 2000 site is available from the NPWS and on-line at: <a href="http://www.npws.ie/protectedsites/">http://www.npws.ie/protectedsites/</a></p>
Qualifying species	<ul style="list-style-type: none"> <li>• Otter (<i>Lutra lutra</i>) [1355]</li> <li>• Petalwort (<i>Petalophyllum ralfsii</i>) [1395]</li> </ul>
Qualifying habitats	<ul style="list-style-type: none"> <li>• Estuaries [1130]</li> <li>• Mudflats and sandflats not covered by seawater at low tide [1140]</li> <li>• Coastal lagoons [1150]</li> <li>• Large shallow inlets and bays [1160]</li> <li>• Reefs [1170]</li> <li>• Annual vegetation of drift lines [1210]</li> <li>• Perennial vegetation of stony banks [1220]</li> <li>• Salicornia and other annuals colonizing mud and sand [1310]</li> <li>• Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330]</li> <li>• Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</li> <li>• Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</li> <li>• Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</li> <li>• Dunes with <i>Salix repens</i> ssp. <i>argentea</i> (<i>Salix arenaria</i>) [2170]</li> <li>• Humid dune slacks [2190]</li> <li>• Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410]</li> <li>• Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>,</li> </ul>

Natura 2000 Site: Tralee Bay and Magharees Peninsula, West to Cloghane SAC (Site Code 002070)	
3.2a Description of the Natura 2000 Site	
	Salicion albae) [91E0]
Non-qualifying species and habitats of interest	<p>Additional Special Conservation Interests:</p> <p>Several relatively rare plant species are also present and a good number of Red Data Book species. Tralee Bay, including Lough Gill, is an internationally important wetland for wintering waders and wildfowl. The presence of a number of Red Data Book species including the largest population of Natterjack Toads in Ireland, is notable.</p>
Unit size	11,632.15Ha
Condition / threats	<p>The dunes face pressures from intensive farming practices and recreational use by visitors to the site. The most threatening activities include fertilisation of the species rich dune grasslands, overgrazing, and trampling of areas of dunes adjacent to tourist facilities (e.g. caravan parks). These activities may lead to severe erosion of the dune system and eutrophication of the dune grasslands and dune slacks. Parts of the dune system are also vulnerable to invasion by Sea Buckthorn (<i>Hippophae rhamnoides</i>).</p> <p>Agricultural run-off from areas of fertilised dune grasslands in the vicinity of Lough Gill pose a continued threat to the nutrient status of the lagoon; algal blooms and fish kills have occurred in the past. Removal of sand has also occurred and poses a threat to the integrity of the system.</p> <p>Generally, the intertidal areas are relatively robust, although certain communities are vulnerable. For example, <i>Spartina</i> has spread widely, and may oust less vigorous colonisers of mud and may also reduce the area of mudflat available to feeding birds. Other activities, such as land reclamation and aquaculture, pose potential threats in terms of damage to habitats and potential disturbance to wintering birds. Domestic and industrial wastes are discharged into inner Tralee Bay, but water quality is generally satisfactory - except in the inner bay reflecting the sewage load from Tralee Town. Further industrial development along the bay in the vicinity of Tralee Town and Fenit and water polluting operations are potential threats.</p>

Natura 2000 Site: Tralee Bay Complex SPA (Site Code 004188)	
3.2b Description of the Natura 2000 Site	
Name	Tralee Bay Complex SPA (Site Code 004188)
Site designation status	Special Protection Area (pSPA)
Natura 2000 Site Description	<p>This Natura 2000 site is an amalgamation and extension to the following previously designated Natura 2000 sites: <u>Lough Gill SPA (Site Code 004011)</u>, <u>Tralee Bay SPA (Site Code 004018)</u> and <u>Akeragh, Banna &amp; Barrow Harbour SPA (Site Code 004079)</u>.</p> <p>A good diversity of coastal habitats occur, especially shingle and sandy beaches, salt marshes, sand dunes and intertidal sand and mud flats, but also rocky shore, dry grassland, wet grassland and reed beds. Akeragh Lough, formerly a brackish lagoon, has silted up since the 1970s and is now mostly wet grassland and swamp vegetation. Barrow Harbour is a highly sheltered inlet and provides particularly useful feeding and roosting habitat for the wintering waterfowl. Carrahane Strand is a sandy inlet with salt marshes. The site is underlain by limestone. The sandy soils are generally calcareous in nature and have a high shell fragment content. The sand dune system at the site is of particular note as the largest proportion of it comprises fixed dune grassland. This site is of major ecological interest due both to its range of floristically-rich coastal habitats and as a wintering site for significant numbers of waterfowl.</p> <p>Inner Tralee Bay is well sheltered by the Derrymore Island peninsula. The intertidal sediments vary from muddy sands on the upper shore to firm rippled sands on the lower, more exposed shore. The sediments have a diverse macro-invertebrate fauna, with such species as Cockle (<i>Cerastoderma edule</i>), Lugworm (<i>Arenicola marina</i>), Ragworm (<i>Hediste diversicolor</i>), Baltic Tellin (<i>Macorna balthica</i>) and Shrimp (<i>Crangon crangon</i>) occurring. The intertidal flats have extensive beds of Eelgrass (<i>Zostera</i> spp.). Tralee Bay Complex SPA is of high ornithological importance as it annually supports over 20,000 wintering waterbirds, including an international important population of Light-bellied Brent Geese and nationally important populations of 21 other species. It is of note that three of the species that regularly occur, Whooper swan, Golden Plover and Bar-tailed Godwit, are listed on Annex I of the E.U. Birds Directive. The overall Tralee Bay wetland complex is considered to be one of the most important in the south-west region.</p> <p>More information on this Natura 2000 site is available from the NPWS and on-line at: <a href="http://www.npws.ie">www.npws.ie</a></p>
Qualifying species	<ul style="list-style-type: none"> <li>Whooper Swan</li> </ul>

Natura 2000 Site: Tralee Bay Complex SPA (Site Code 004188)	
3.2b Description of the Natura 2000 Site	
	<ul style="list-style-type: none"> <li>• Light-bellied Brent Goose</li> <li>• Scaup</li> <li>• Ringed Plover</li> <li>• Golden Plover</li> <li>• Lapwing</li> <li>• Sanderling</li> <li>• Bar-tailed Godwit</li> <li>• Curlew,</li> <li>• Redshank</li> <li>• Turnstone</li> <li>• Shelduck</li> <li>• Wigeon</li> <li>• Teal</li> <li>• Mallard</li> <li>• Pintail</li> <li>• Oystercatcher</li> <li>• Grey Plover</li> <li>• Dunlin</li> <li>• Black-tailed Godwit</li> <li>• Black-headed Gull</li> <li>• Common Gull</li> </ul>
Qualifying habitats	<ul style="list-style-type: none"> <li>• Wetlands</li> </ul>
Non-qualifying species and habitats of interest	(20,000 wintering waterbirds)
Unit size	The Tralee Bay Complex SPA is located along the coast of north Co. Kerry between Ballyheige in the north, Tralee in the east and Stradbally in the west. The site includes the inner part of Tralee Bay, including Derrymore Island, the

Natura 2000 Site: Tralee Bay Complex SPA (Site Code 004188)	
3.2b Description of the Natura 2000 Site	
	inlets of Barrow Harbour and Carrahane Strand, Akeragh Lough, Lough Gill, and much of the intertidal habitat from Scraggane Point at the northern end of the Magharees Peninsula around the coast towards Ballyheige.
Condition / threats	Part of Tralee Bay SPA is a Statutory Nature Reserve and there appears to be no serious threats to the wintering birds within this area. However, the intertidal areas receive somewhat polluted water via the River Lee and there may be some disturbance from walkers, free-running dogs, sailing activities and bait-digging. Land reclamation also poses a threat in certain areas as does the spread of exotic species (habitat loss / alteration).

## 5. Identification and description of potential individual and cumulative impacts of the Plan or Project

Identification and description of the individual and cumulative impacts of the Plan or Project	
Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on Natura 2000 Sites	<p><b>Elements of the project, either alone or in combination, with potential to give rise to impacts:-</b></p> <p>The proposed project is located in close proximity to the Tralee Bay and Magharees Peninsula, West to Cloghane SAC (Site Code 002070) and the Tralee Bay Complex SPA (Site Code 004188).</p> <p>Road improvement works can result in the following:-</p> <ul style="list-style-type: none"> <li>• Development works can impact on environmental conditions necessary to maintain ecological site integrity (habitat quality inc water quality).</li> <li>• New roadway footprint can result in habitat loss or fragmentation.</li> <li>• New roadways can form a barrier to species and or can increase the risk of road kill.</li> <li>• New roadways can increase the risk of wildlife disturbance / displacement, particularly at the construction stage.</li> <li>• Vegetation clearance could facilitate the spread of invasive plant species in the area, which is located in close proximity to Natura 2000 sites.</li> </ul>
Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on Natura 2000 sites by virtue of:	<p>The construction and or the operation of the proposed realigned roadway could potentially result in the loss of functionally linked habitat of foraging, commuting or resting importance for species listed for protection in the Tralee Bay Natura 2000 sites (Birdlife associated with the SPA and / or Otters associated with the SAC). This could impact on population health. This will be further considered in section 6 of this report.</p> <p>Estuarine aquatic environments such as this are less vulnerable to water quality sedimentation issues than freshwater systems. Nevertheless, construction aspects in theory have the potential for impacting on water quality downstream (within the SAC and / or SPA), namely by way of hydrocarbon spillage or other such pollution event. However, having regard to the standard best practice water quality protection measures</p>
<ul style="list-style-type: none"> <li>• Size and scale</li> </ul>	



Identification and description of the individual and cumulative impacts of the Plan or Project	
<ul style="list-style-type: none"> <li>• Land-take</li> <li>• Distance from Natura 2000 Site or key features of the Site</li> <li>• Resource requirements</li> <li>• Emissions</li> <li>• Excavation requirements</li> <li>• Transportation requirements</li> <li>• Duration of construction, operation etc</li> <li>• Others</li> </ul>	<p>incorporated into this proposal, together with the nature and scale of the proposal and the short duration of the works, it is considered that this is not a concern of significance in this instance. It is considered that Tralee Bay is a large and well exchanged body of water, which has sufficient dilution capacity to adequately cater for any residual risk which may exist in this regard. It is noted that no in-stream works are required to facilitate the proposed construction works.</p> <p>This takes into account the potential for cumulative and in combination impacts.</p> <p><b>Consideration of ‘in combination’ effects</b></p> <p><b>Plans</b></p> <p><i>The proposed development site is located within the ‘Rural Area’ of the Tralee Killarney Hub Functional Area Local Area Plan 2013-2019 and the ‘Rural General Development’ Area in the Kerry County Cdevelopment Plan 2015-2021. The route forms part of Fáilte Ireland’s ‘Wild Atlantic Way’ - no Discovery or embankment points are located in the vicinity of the works.</i></p> <p><b>Projects</b></p> <p><i>A road widening / realignment project is currently under construction at the SPA settlement to the east of this proposal. A planning search revealed no major permitted (unbuilt) developments at the general location of the proposed works, which could result in ‘in-combination’ effects.</i></p>

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## 6. Assessment of the significance of the impacts on the integrity of Natura 2000 Sites

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<p>Describe any likely changes to the site arising as a result of:</p> <ul style="list-style-type: none"> <li>• Reduction of habitat area</li> <li>• Disturbance of key species</li> <li>• Habitat or species fragmentation</li> <li>• Reduction in species density</li> <li>• Changes in key indicators of conservation value</li> <li>• Climate change</li> </ul>	<p><b>Reduction / fragmentation of habitat</b></p> <p>There will be no loss of or reduction in Annex I habitats associated with Tralee Bay and Magharees Peninsula, West to Cloghane SAC, Wetlands associated with the Tralee Bay Complex SPA, or habitat of any other Natura 2000 site, as a result of the proposals. Maps accompanying the Tralee Bay and Magharees Peninsula, West to Cloghane SAC, which outline the known location of qualifying habitats have not identified qualifying habitat within the development site. A site walkover confirmed that the habitats present on site comprise of ‘improved agricultural grassland’ GA1. Existing roadside boundaries consist of stone walls and other stonework BL1 type habitat. Given the location of the realigned roadway relative to the existing roadway habitat fragmentation can also be ruled out. It is further noted that the proposal incorporates standard dust control measures for the construction stage and introduced species safeguards. This will ensure qualifying habitats in the wider area are not impacted.</p> <p><b>Impact on qualifying species, having regard to conservation objectives of the Tralee Bay Natura 2000 sites (disturbance reduction in density etc)</b></p> <p><b>Otters</b></p> <p>This proposal which broadly follows the line of the existing road corridor is not one which will result in habitat or species fragmentation. While the road width will be increased it is noted that a mammal underpass and fencing are provided for in accordance with NRA / TII best practice. Otter surveys were carried out on site and in the area, which confirmed widespread use of the coastline by Otters.</p> <p>Construction stage disturbance of this species can be ruled out, given the likely habitualisation of otters at</p>
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	<p>this location to traffic / vehicular movements. The coastline, while of importance to Otters, occupies a small portion of suitable Otter habitat within the wider SAC. In proposed development is located away from the coastline and would not impinge on either the 250m High Water Mark buffer outlined in the Conservation Objectives document for the SAC or on the 10m terrestrial buffer along shoreline (above HWM and along river banks) identified as critical for otters (NPWS, 2007). Significant disturbance is not likely to occur and the health of the Otter population within this SAC is not likely to be impacted. The above considerations and assessment has taken into account the potential for cumulative and in combination impacts. This proposal is not one which is likely to have significant impacts on Otters or on the attributes and targets outlined in the Tralee Bay and Magharees Peninsula, West to Cloghane SAC Conservation Objective document (February 2014). The habitat impacted by way of the development consists of improved agricultural grassland which is not preferential habitat for the species.</p> <p><b>Birdlife</b></p> <p>The conservation interests of the Tralee Bay Complex SPA relate to various waterbirds, wintering wildfowl and wading bird species. The proposed development is located outside of the SPA boundaries. While wintering wildfowl and waders are generally associated with intertidal and coastal areas, some species can use inland agricultural sites for feeding / roosting. Such sites typically comprise open areas of grassland or root crops that are located close to extensive wetland habitats.</p> <p>There are no significant wetland habitats at or adjoining the site which would attract wintering waterbirds and the lands in question do not have a known history of regular waterbird usage (NPWS, 2014). Kilfenora to the west and the Spa to the east are known feeding / roosting locations. The lands which form part of this proposal are well drained and are not located in an area of regular flooding. The lands are located in Flood Zone C – low probability of flooding in the preliminary OPW Catchment Flood Risk Management maps prepared for the area.</p> <p>Given their coastal location and the open nature of the fields it is likely that the coastal portions of the fields located to the east of Gaynors Bends are used to some extent by roosting / feeding birds. However there</p>
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	<p>are a substantial number of similar type fields in the area and on completion the shape and size of these fields will be sufficient to remain attractive to bird life. On completion, by way of its shape and size the field adjoining Gaynors cross is more likely to be rough grazed (as opposed to being strip grazed or set aside for silage) which would be a positive for birdlife.</p> <p>Chough are known to spend time in the vicinity of the Rock outcrop to the west. Limited works are proposed in the vicinity of same. No impacts are considered likely.</p> <p>No impact on birdlife associated with the Tralee Bay SPA</p> <p>NPWS 2014 Tralee Bay Complex Special Protection Area (Site Code 4188), Conservation Objectives Supporting Document. Version 1. National Parks and Wildlife Service, March 2014.</p> <p><b>Habitat or species fragmentation</b> This proposal which utilises the existing road corridor is not one which will result in habitat or species fragmentation. While the road width will be increased it is noted that a mammal underpass and fencing are also provided for in accordance with NRA / TII best practice.</p> <p><b>Changes in key indicators of conservation value</b> It is noted that standard best practice water quality and air quality protection measures have been incorporated in to the proposal. No significant impact likely</p> <p>Having regard to the above it is considered that significant changes to Natura 2000 sites or to key habitats or species are not likely to occur.</p>
Describe any likely impacts on the Natura 2000 site as a whole in terms of:	<p><b>Interference with the key relationships that define the structure of the site:</b> The structure of the Natura 2000 Sites will not be impacted by this proposal.</p>

<ul style="list-style-type: none"> <li>• Interference with the Key relationships that define the structure of the site</li> <li>• Interference with key relationships that define the function of the site</li> </ul>	<p><b>Interference with key relationships that define the function of the site:</b> The function of the Natura 2000 Sites will not be impacted by this proposal.</p>
<p>Describe from the above those elements of the project, or combination of elements, where the above impacts are likely to be significant or where the scale of magnitude of impacts is not known.</p>	<p>Construction works associated with this project are not complex in nature and do not have the potential to impact on the conservation interests of Natura 2000 sites in the area. From an operational perspective, the roadway is already a busy national secondary roadway and significant impacts are not considered to be likely. The potential for significant impacts from the remainder of the proposal has similarly been ruled out. Consequently, this Appropriate Assessment screening exercise concludes that a Stage 2 Natura Impact Statement / Appropriate Assessment is <u>not</u> required in this instance.</p>

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## 7. Conclusion

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### Statement

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the objective information provided in this report, it is concluded that proposed works, individually or in combination with other plans/projects are not likely to have a significant effect on a European site (Natura 2000 site). It is therefore considered that a Stage 2 Appropriate Assessment / Natura Impact Statement under Section 177V of the Planning and Development Act 2000 (as amended), is not required.

### Reasons for Conclusion

Following the screening of the proposed works for possible significant effects on the Natura 2000 sites, no significant effects were identified, as detailed in this report. As part of this due regard was given to the following:-

- the existing conditions;
- the nature, scale and location of the proposed works;
- the potential for cumulative and in combinations effects;
- the conservation objectives and qualifying interests of Natura 2000 sites in the vicinity.

This report concludes on the basis of objective scientific information, that the activity, individually or in combination with other plans or projects, is not likely to have a significant effect on a European or Natura 2000 site, and accordingly it is considered that a Natura Impact Statement / Stage 2 Appropriate Assessment is not required in this instance.

Eoin Kelleher  
Planner and Ecologist  
Environmental Assessment Unit  
04/08/2017

ENVIRONMENTAL ASSESSMENT UNIT  
PLANNING DEPARTMENT  
KERRY COUNTY COUNCIL  
AUGUST 2017

## Appendix A: Consideration of ex-situ Natura 2000 Sites

Natura 2000 sites, the reasons for their designation, generic (draft) conservation objectives and the environmental conditions considered necessary to support their site integrity. For more detailed conservation objectives refer to [www.npws.ie](http://www.npws.ie)

Name of Site	Reason for designation	Environmental conditions necessary to support site integrity	Reasons for screening out of Natura 2000 site
<b>SACs / cSACs WHICH ARE LOCATED WITHIN THE VICINITY (INCLUDING EX SITU SITES)</b>			
<u>SAC 000332 - Akeragh, Banna &amp; Barrow Harbour</u>	<p>The Annex I habitats for which the SAC has been selected at favourable conservation status are: Annual vegetation of drift lines; <i>Salicornia</i> and other annuals colonising mud and sand; Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>); Mediterranean salt meadows (<i>Juncetalia maritimi</i>); Embryonic shifting dunes; Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes); Fixed coastal dunes with herbaceous vegetation (grey dunes); Humid dune slacks; European dry heaths.</p> <p>The site contains internationally important numbers of Brent Geese and nationally important numbers of Ringed Plover, Grey Plover, Lapwing, Bar-tailed Godwit. The regular occurrence of Golden Plover and Bar-tailed Godwit is of note as these species are listed on Annex I of the EU Birds Directive</p> <p><b>Conservation Objectives</b></p> <ol style="list-style-type: none"> <li>1. To maintain the Annex I habitats for which the SAC has been selected at favourable conservation status: Annual vegetation of drift lines; <i>Salicornia</i> and other annuals colonising mud and sand; Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>); Mediterranean salt meadows (<i>Juncetalia maritimi</i>); Embryonic shifting dunes; Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes); Fixed coastal dunes with herbaceous vegetation (grey dunes); Humid dune slacks; European dry heaths.</li> <li>2. To maintain the extent, species richness and biodiversity of the</li> </ol>	<p>Habitat Management (control of drainage, grazing / mowing, stock feeding, burning, fertiliser / lime input, reseeding dumping, killing / removal of significant biological material, pesticide use etc)</p> <p>No significant erosion / trampling / accretion associated with human impacts (fires, livestock grazing, motorised vehicles, recreational activities etc).</p> <p>No change in land use which would result in significant habitat loss or fragmentation (human activities such as land improvement / reclamation, afforestation, development, track / roadway provision etc)</p> <p>Adequate water supply (control of water abstraction etc)</p> <p>Limited dredging activities</p> <p>No physical barriers to significantly restrict movement of sand and communities associated with mobile substrate</p>	<p>There are no connecting pathways between the discharge locations (source) and the Natura 2000 site (receptor).</p> <p>Therefore no impacts are anticipated or considered to be likely.</p>

Name of Site	Reason for designation	Environmental conditions necessary to support site integrity	Reasons for screening out of Natura 2000 site
<b>SACs / cSACs WHICH ARE LOCATED WITHIN THE VICINITY (INCLUDING EX SITU SITES)</b>			
	<p>entire site.</p> <p>3. To establish effective liaison and co-operation with landowners, legal users and relevant authorities.</p>	<p>Lack of physical constraints &amp; ability to modify dune distribution in response to natural dynamic coastal processes</p> <p>Limited disturbance (light, noise, human activity including recreational pressure, walking, horse riding, motorised and non motorised vehicle use, camping and caravanning, bait digging etc)</p> <p>Limited compaction by motorised vehicles etc</p> <p>Adequate air quality (limited tropospheric ozone pollution, limited acid deposition, limited nitrogen deposition etc)</p> <p>No significant aggregate extraction</p> <p>The control of introduced or invasive species (sea buckthorn, bracken etc)</p>	
<u>SAC 002112 - Ballyseedy Wood</u>	<p>The Alder/Ash-dominated woodland conforms well with the woodland type "Residual Alluvial Forest" listed with priority status on Annex I of the EU Habitats Directive.</p> <p>Ballyseedy Wood is a nesting site for Long-eared Owl and the river is frequented by Otters, a species listed on Annex II of the EU Habitats Directive.</p> <p><b>Conservation Objectives</b></p> <p>1. To maintain the Annex I habitat for which the SAC has been selected at favourable conservation status Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae):</p> <p>2. To maintain the Annex II species for which the SAC has been</p>	<p>Habitat Management (control of drainage, grazing / mowing, burning, fertiliser / lime input, reseeding, dumping, tree felling, killing / removal of significant biological material, pesticide use etc)</p> <p>No significant erosion / trampling associated with human impacts (recreational activities, motorised vehicles etc).</p> <p>Adequate water quality (limited sediment input, limited nutrient input etc)</p> <p>No change in land use which would result in significant habitat loss or fragmentation (human</p>	<p>There are no connecting pathways between the discharge locations (source) and the Natura 2000 site (receptor).</p> <p>Therefore no impacts are anticipated or considered to be likely.</p>



Name of Site	Reason for designation	Environmental conditions necessary to support site integrity	Reasons for screening out of Natura 2000 site
<b>SACs / cSACs WHICH ARE LOCATED WITHIN THE VICINITY (INCLUDING EX SITU SITES)</b>			
	<p>selected at favourable conservation status:</p> <p><b>3.</b> To maintain the extent, species richness and biodiversity of the entire site.</p> <p><b>4.</b> To establish effective liaison and co-operation with landowners, legal users and relevant authorities</p>	<p>activities such as deforestation, development, track / roadway provision etc)</p> <p>Limited disturbance (light, noise, human activity including recreational pressure etc)</p> <p>The control of introduced or invasive species (Rhododendron, Japanese Knotweed etc)</p> <p>Maintain natural regeneration and diverse vegetation structure</p> <p>Presence of suitable quiet stretches of river for Otters</p> <p>No significant aggregate extraction</p>	
<u>SAC 002165 - Lower River Shannon</u>	<p>The site is a candidate SAC selected for the Annex I habitats for which the SAC has been selected at favourable conservation status: Large shallow inlets and bays; Estuaries; <i>Salicornia</i> and other annuals colonising mud and sand; Vegetated sea cliffs of the Atlantic and Baltic coasts; Mediterranean salt meadows (<i>Juncetalia maritimi</i>); Coastal lagoons; Mudflats and sandflats not covered by seawater at low tide; Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>); Sandbanks which are slightly covered by sea water all the time; Reefs; Perennial vegetation of stony banks; Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation; <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinia caerulea</i>); Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnus incanae, Salix albae)</p> <p>The site is also selected for the following species listed on Annex II of the same directive – Bottle-nosed Dolphin (resident population), Sea Lamprey, River Lamprey, Brook Lamprey, Freshwater Pearl Mussel, Atlantic Salmon and Otter.</p>	<p>Habitat Management (control of drainage, grazing / mowing, burning, fertiliser / lime input, reseeding, fishing, aquaculture dumping, tree felling, killing / removal of significant biological material, pesticide use etc)</p> <p>No significant erosion / trampling associated with human impacts (drainage, fires, livestock grazing, motorised vehicles recreational activities etc).</p> <p>Adequate water supply</p> <p>Adequate water quality (limited sediment input, limited nutrient input etc)</p> <p>Limited alteration of the banks, bed or flow of watercourses</p>	<p>There are no connecting pathways between the discharge locations (source) and the Natura 2000 site (receptor).</p> <p>Therefore no impacts are anticipated or considered to be likely.</p>

Name of Site	Reason for designation	Environmental conditions necessary to support site integrity	Reasons for screening out of Natura 2000 site
<b>SACs / cSACs WHICH ARE LOCATED WITHIN THE VICINITY (INCLUDING EX SITU SITES)</b>			
	<p>Overall, the Shannon and Fergus Estuaries support the largest numbers of wintering waterfowl in Ireland. Species listed on Annex I of the E.U. Birds Directive which contributed to these totals include: Great Northern Diver (3; 1994/95), Whooper Swan (201; 1995/96), Pale-bellied Brent Goose (246; 1995/96), Golden Plover (11,067; 1994/95) and Bar-tailed Godwit (476; 1995/96). In the past, three separate flocks of Greenland White-fronted Goose were regularly found but none were seen in 1993/94.</p> <p>A number of species listed on Annex I of the E.U. Birds Directive breed within the site. These include Peregrine Falcon (2-3 pairs), Sandwich Tern (34 pairs on Rat Island, 1995), Common Tern (15 pairs: 2 on Sturamus Island and 13 on Rat Island, 1995), Chough (14-41 pairs, 1992) and Kingfisher.</p> <p><b>Conservation Objectives</b></p> <ol style="list-style-type: none"> <li>To maintain the Annex I habitats for which the SAC has been selected at favourable conservation status: Large shallow inlets and bays; Estuaries; <i>Salicornia</i> and other annuals colonising mud and sand; Vegetated sea cliffs of the Atlantic and Baltic coasts; Mediterranean salt meadows (<i>Juncetalia maritimi</i>); Coastal lagoons; Mudflats and sandflats not covered by seawater at low tide; Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>); Sandbanks which are slightly covered by sea water all the time; Reefs; Perennial vegetation of stony banks; Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation; <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinia caerulea</i>); Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)</li> <li>To maintain the Annex II species for which the SAC has been selected at favourable conservation status: <i>Lampetra fluviatilis</i>,</li> </ol>	<p>No change in land use which would result in significant habitat loss or fragmentation (human activities such as land improvement / reclamation, deforestation, development, track / roadway provision etc)</p> <p>Limited disturbance (light, noise, human activity including recreational pressure etc)</p> <p>Control on fish stocking and introduced or invasive species including Japanese Knotweed.</p> <p>Presence of suitable quiet stretches of river for Otters</p> <p>No artificial barriers significantly impairing adult salmon and lamprey from reaching existing and historical spawning grounds and smolts from reaching the sea</p> <p>Limited dredging activities</p> <p>No physical barriers to significantly restrict movement of sand and communities associated with mobile substrate</p> <p>No significant change in water clarity and average light attenuation</p> <p>No significant change in temperature and salinity of the water</p> <p>Maintain natural regeneration and diverse vegetation structure of woodland</p>	

Name of Site	Reason for designation	Environmental conditions necessary to support site integrity	Reasons for screening out of Natura 2000 site
<b>SACs / cSACs WHICH ARE LOCATED WITHIN THE VICINITY (INCLUDING EX SITU SITES)</b>			
	<p><i>Lampetra planeri, Petromyzon marinus, Salmo salar, Margaritifera margaritifera, Tursiops truncatus, Lutra lutra</i></p> <p><b>3.</b> To maintain the extent, species richness and biodiversity of the entire site</p> <p><b>4.</b> To establish effective liaison and co-operation with landowners, legal users and relevant authorities.</p>	No significant aggregate extraction	
<u>SAC 002185 - Slieve Mish Mountains</u>	<p>The Annex I habitats for which the SAC has been selected at favourable conservation status are :Northern Atlantic wet heaths with <i>Erica tetralix</i>; European dry heaths; Alpine and Boreal heaths; Siliceous rocky slopes with chasmophytic vegetation. Blanket Bog, Acid Grasslands, Oligotrophic (corrie) lake and dry deciduous woodlands are also present.</p> <p>The site also contains two bird species that are listed on Annex I of the EU Birds Directive (Peregrines breed on cliffs within the site and Chough are known to feed in the area) and contains a good population of Killaney Fern (<i>Trichomanes speciosum</i>), a species that is listed on Annex II of the EU Habitats Directive.</p> <p><b>Conservation Objectives</b></p> <p><b>1.</b> To maintain the Annex I habitats for which the SAC has been selected at favourable conservation status: Northern Atlantic wet heaths with <i>Erica tetralix</i>; European dry heaths; Alpine and Boreal heaths; Siliceous rocky slopes with chasmophytic vegetation.</p> <p><b>2.</b> To maintain the Annex II species for which the SAC has been selected at favourable conservation status: <i>Trichomanes speciosum</i>.</p> <p><b>3.</b> To maintain the extent, species richness and biodiversity of the entire site.</p> <p><b>4.</b> To establish effective liaison and co-operation with landowners, legal users and relevant authorities.</p>	<p>Habitat Management (control of drainage, grazing / mowing, burning, fertiliser / lime input, reseeding, dumping, tree felling, killing / removal of significant biological material, pesticide use etc)</p> <p>No significant erosion / trampling associated with human impacts (drainage, fires, peat extraction, livestock grazing, motorised vehicles, recreational activities such as rock climbing and hill walking etc).</p> <p>Adequate water supply</p> <p>Adequate water quality (limited sediment input, limited nutrient input etc)</p> <p>Limited air pollution (eutrophication, hydrocarbon pollution etc)</p> <p>No change in land use which would result in significant habitat loss or fragmentation (human activities such as land improvement / reclamation, afforestation, peat extraction, development, track / roadway provision etc)</p> <p>Limited disturbance (light, noise, human activity including recreational pressure etc)</p>	<p>There are no connecting pathways between the discharge locations (source) and the Natura 2000 site (receptor).</p> <p>Therefore no impacts are anticipated or considered to be likely.</p>

Name of Site	Reason for designation	Environmental conditions necessary to support site integrity	Reasons for screening out of Natura 2000 site
<b>SACs / cSACs WHICH ARE LOCATED WITHIN THE VICINITY (INCLUDING EX SITU SITES)</b>			
		The control of introduced or invasive species (bracken etc)  No significant aggregate extraction	
<u>SAC 002261 - Magharee Islands</u>	<p>The site is of high conservation importance due to the presence of good examples of reefs, habitat listed on Annex 1 of the EU Habitats Directive.</p> <p><b>Conservation Objectives</b></p> <ol style="list-style-type: none"> <li>1. To maintain the Annex I habitat for which the SAC has been selected at favourable conservation status: Reefs.</li> <li>2. To maintain the extent, species richness and biodiversity of the entire site.</li> <li>3. To establish effective liaison and co-operation with landowners, legal users and relevant authorities</li> </ol>	<p>Habitat Management (control of aquaculture, fishing etc)</p> <p>Adequate water quality (limited sediment input, limited nutrient input etc)</p> <p>No change in land use which would result in significant habitat loss or fragmentation (human activities such as land improvement / reclamation etc)</p> <p>No significant change in water clarity and average light attenuation</p> <p>No significant change in temperature and salinity of the water</p> <p>Limited disturbance (human activity including recreational pressure etc)</p> <p>The control of introduced or invasive species</p> <p>No dredging or aggregate extraction activities</p>	<p>There are no connecting pathways between the discharge locations (source) and the Natura 2000 site (receptor).</p> <p>Therefore no impacts are anticipated or considered to be likely.</p>
SAC 000343 – Castlemaine Harbour	The site is a candidate SAC selected for fixed grey dunes and alluvial wet woodlands, both priority habitats on Annex I of the E.U. Habitats Directive. The site is also selected as a candidate SAC for estuaries, tidal mudflats, Atlantic salt meadows, <i>Salicornia</i> mudflats, Mediterranean salt meadows, drift line vegetation, perennial vegetation of stony banks, dunes with creeping willow, dune slacks, embryonic shifting dunes and Marram dunes, all habitats listed on Annex I of the E.U. Habitats	<p>Habitat Management (control of drainage, aquaculture, fishing, grazing / mowing, burning, fertiliser / lime input, reseeding, dumping, tree felling, killing / removal of significant biological material, pesticide use etc)</p> <p>No significant erosion / trampling / accretion</p>	<p>There are no connecting pathways between the discharge locations (source) and the Natura 2000 site (receptor).</p> <p>Therefore no impacts</p>

Name of Site	Reason for designation	Environmental conditions necessary to support site integrity	Reasons for screening out of Natura 2000 site
<b>SACs / cSACs WHICH ARE LOCATED WITHIN THE VICINITY (INCLUDING EX SITU SITES)</b>			
	<p>Directive.</p> <p>The site is also selected for the following species listed on Annex II of the same directive – Sea Lamprey, River Lamprey, Atlantic Salmon, Otter and the liverwort, Petalwort.</p> <p>It also contains the Natterjack Toad an Annex IV species and supports internationally important waterfowl populations. The site is listed under the Ramsar Convention and part of the site is a statutory nature reserve.</p> <p><b>Conservation Objectives</b></p> <ol style="list-style-type: none"> <li>1. To maintain the Annex I habitats for which the SAC has been selected at favourable conservation status: Estuaries; Mudflats and sandflats not covered by seawater at low tide; Annual vegetation of drift lines; Perennial vegetation of stony banks; <i>Salicornia</i> and other annuals colonizing mud and sand; Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>); Mediterranean salt meadows (<i>Juncetalia maritimi</i>); Embryonic shifting dunes; Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes); Fixed coastal dunes with herbaceous vegetation (grey dunes); Dunes with <i>Salix repens ssp. argentea</i> (<i>Salix arenariae</i>); Humid dune slacks; Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>).</li> <li>2. To maintain the Annex II species for which the SAC has been selected at favourable conservation status: <i>Petromyzon marinus</i>; <i>Lampetra fluviatilis</i>; <i>Salmo salar</i>; <i>Lutra lutra</i>; <i>Petalophyllum ralfsii</i>.</li> <li>3. To maintain the extent, species richness and biodiversity of the entire site.</li> <li>4. To establish effective liaison and co-operation with landowners, legal users and relevant authorities.</li> </ol>	<p>associated with human impacts (fires, livestock grazing, motorised vehicles, recreational activities etc).</p> <p>Adequate water supply</p> <p>Adequate water quality (limited sediment input, limited nutrient input etc)</p> <p>Limited alteration of the banks, bed or flow of watercourses</p> <p>Presence of suitable quiet stretches of river for Otters</p> <p>No artificial barriers significantly impairing adult salmon and lamprey from reaching existing and historical spawning grounds and smolts from reaching the sea</p> <p>No change in land use which would result in significant habitat loss or fragmentation (land improvement / reclamation, development etc)</p> <p>Limited disturbance (light, noise, human activity including recreational pressures such as motorised and non motorised vehicle use, walking, horse riding, bait digging etc)</p> <p>The control of introduced or invasive species</p> <p>Maintain natural regeneration and diverse vegetation structure of the woodlands</p>	<p>are anticipated or considered to be likely.</p>

Name of Site	Reason for designation	Environmental conditions necessary to support site integrity	Reasons for screening out of Natura 2000 site
<b>SACs / cSACs WHICH ARE LOCATED WITHIN THE VICINITY (INCLUDING EX SITU SITES)</b>			
		<p>Limited dredging activities</p> <p>No significant aggregate extraction</p> <p>No physical barriers to significantly restrict movement of sand and communities associated with mobile substrate</p> <p>Lack of physical constraints &amp; ability to modify dune distribution in response to natural dynamic coastal processes</p>	

Name of Site	Reason for designation	Environmental conditions necessary to support site integrity	Reasons for screening out of Natura 2000 site
<b>SPAs / pSPAs WHICH ARE LOCATED WITHIN THE VICINITY (INCLUDING EX SITU SITES)</b>			
<u>SPA 004125 - Magharee Islands</u>	<p>This site contains Common, Arctic and Little Terns all of which are listed on Annex I of the E.U. Birds Directive. In addition, Storm Petrel, an Annex I species, may breed on the islands.</p> <p>In winter, the islands are utilised by a flock of Barnacle Geese of national importance (267 individuals in 1993, 73 individuals in 1999). A possible breeding pair of Chough was recorded on the islands in 1992. Both Barnacle Goose and Chough are listed on Annex I of the E.U. Birds Directive.</p> <p>Of note is that the Barnacle Geese are at the most southerly point of their range in Europe.</p>	<p>Habitat Management (control of aquaculture, grazing, fishing etc)</p> <p>Adequate water quality</p> <p>No significant erosion associated with human impacts (grazing, recreational activities etc).</p> <p>No change in land use which would result in significant habitat loss or fragmentation (human activities such as land improvement / reclamation etc)</p> <p>Avoidance of disturbance (noise, human activity including recreational pressure etc)</p> <p>The control of introduced or invasive species</p>	<p>There are no connecting pathways between the discharge locations (source) and the Natura 2000 site (receptor).</p> <p>Therefore no impacts are anticipated or considered to be likely.</p>

Name of Site	Reason for designation	Environmental conditions necessary to support site integrity	Reasons for screening out of Natura 2000 site
<b>SPAs / pSPAs WHICH ARE LOCATED WITHIN THE VICINITY (INCLUDING EX SITU SITES)</b>			
		No significant change in climate	
SPA 004161 - <u>Stack's to Mullagherisk Mountains, West Limerick Hills &amp; Mount Eagle</u>	<p><b>Site is selected for:</b> Hen Harrier</p> <p><b>Main conservation objective:</b> To maintain the special conservation interest for this SPA at favourable conservation status: Hen Harrier.</p>	<p>Habitat Management (control of drainage, grazing / mowing, burning, fertiliser / lime input, reseeding etc)</p> <p>No significant erosion associated with human impacts (drainage, fires, livestock grazing, peat extraction, afforestation, motorised vehicles, recreational activities etc).</p> <p>No change in land use which would result in significant habitat loss or fragmentation (human activities such as land improvement / reclamation, afforestation, development, track / roadway provision, dumping etc)</p> <p>Limited disturbance (light, noise, human activity including recreational pressure, wind farm construction / operation etc)</p> <p>The control of introduced or invasive species</p>	<p>There are no connecting pathways between the discharge locations (source) and the Natura 2000 site (receptor).</p> <p>Therefore no impacts are anticipated or considered to be likely.</p>
SPA 004029 - <u>Castlemaine Harbour</u>	<p><b>Site is selected for:</b> Light-bellied Brent Goose, Wigeon, Pintail, Common Scoter, Ringed Plover, Sanderling, Bar-tailed Godwit, Cough</p> <p><b>Additional Special Conservation Interests:</b> Red-throated Diver, Great Northern Diver, Cormorant, Mallard, Scaup, Oystercatcher, Redshank, Greenshank, Turnstone, Wetland &amp; Waterbirds</p> <p><b>Main conservation objective:</b> To maintain the special conservation interests for this SPA at favourable conservation status: Light-bellied Brent Goose, Wigeon, Pintail, Common Scoter, Ringed Plover, Sanderling, Bar-tailed Godwit, Cough,</p>	<p>Habitat Management (control of aquaculture, fishing etc)</p> <p>Adequate water quality</p> <p>No significant erosion associated with human impacts (livestock grazing, motorised vehicles, recreational activities etc).</p> <p>No change in land use which would result in significant habitat loss or fragmentation (human activities such as land improvement / reclamation etc)</p>	<p>There are no connecting pathways between the discharge locations (source) and the Natura 2000 site (receptor).</p> <p>Therefore no impacts are anticipated or considered to be likely.</p>

Name of Site	Reason for designation	Environmental conditions necessary to support site integrity	Reasons for screening out of Natura 2000 site
<b>SPAs / pSPAs WHICH ARE LOCATED WITHIN THE VICINITY (INCLUDING EX SITU SITES)</b>			
	Red-throated Diver, Great Northern Diver, Cormorant, Mallard, Scaup, Oystercatcher, Redshank, Greenshank, Turnstone, Wetland & Waterbirds.	Limited disturbance (noise, human activity including aquaculture, motorised vehicles, recreational pressure / walkers / free-running dogs, sailing activities and bait-digging etc)  The control of introduced or invasive species.	



## Appendix B: Description of other strategies, plans, programmes and projects reviewed in order to identify potential ‘in-combination’ effects on Natura 2000 Sites

In this section of the report, other strategies, plans, programmes and projects are described in order to help in the consideration of potential ‘in combination’ effects. In this instance, ‘in combination’ is taken to refer to the cumulative effect of influences acting on sites from all plans and projects in the context of prevailing environmental conditions. Underlying environmental trends such as sea level rises, climate change and increased flood risk have also been taken into account in the consideration of potential for significant effects.

Plan/Strategy	Policy Direction
<b>Infrastructure and Capital Investment 2012-16: Medium Term Exchequer Framework</b>	<p>The document identifies four main components of the investment strategy as follows:</p> <ul style="list-style-type: none"> <li>• Economic infrastructure – encompassing transport networks, energy provision and telecommunications capacity</li> <li>• Investment in the productive sector and human capital– such as direct supports for enterprise development; science, technology and innovation advancement; supports for tourism, agriculture, fisheries and forestry; and capital investment in education infrastructure</li> <li>• Environmental infrastructure – including our waste and water systems and investment for environmental sustainability</li> <li>• Critical social investment – such as the health service and social housing programmes</li> </ul>
<b>National Spatial Strategy 2002-2020</b>	<p>The identification of development corridors is only the initial step in the process of balanced regional development. The success of the spatial strategy in its role of achieving strong and sustainable economic growth is dependent on a number of factors including the development of an area’s Potential, Critical Mass and Linkages. The NSS, prepared by the Department of the Environment, Heritage and Local Government is a twenty-year planning framework designed to achieve a better balance of social, economic, and physical development, and population growth between regions. Its focus is on people, on places and on building communities.</p> <p>Implementation of the NSS at regional and local level is through the formulation of guidelines, integrated planning frameworks, Development Plans and strategies. The NSS has identified the important need to support the role of smaller</p>

Plan/Strategy	Policy Direction
	towns, villages and rural areas at the local level.
<b>Sustainable Development – A Strategy for Ireland 1997</b>	This is the government’s policy on sustainable development, how it can be implemented and how it can be integrated into the decision making process. The policies in this document with regard to the sustainability of rural housing have been modified by the publication of ‘Sustainable Rural Housing – Guidelines for Planning Authorities’ (April 2005).
<b>Transport 21</b>	Launched in 2005, this policy initiative sets down how an intended sum of €34.4 billion will be spent on Ireland’s transportation system. It covers national roads, rail and bus services and regional airports. It relates to the period from 2006 to 2016, comprising two investment programmes – a national programme and a separate programme for the Greater Dublin area. The programme seeks to meet the transport needs of the country’s citizens and also underpin our competitiveness into the future.
<b>Smarter Travel – A Sustainable Transport Future – A New Transport Policy for Ireland 2009 – 2020 (2009)</b>	<p>Outlines a policy for how a sustainable travel and transport system can be achieved Sets out five key goals:-</p> <ul style="list-style-type: none"> <li>• To reduce overall travel demand.</li> <li>• To maximise the efficiency of the transport network.</li> <li>• To reduce reliance on fossil fuels.</li> <li>• To reduce transport emissions.</li> <li>• To improve accessibility to transport.</li> </ul>
<b>Ireland’s First National Cycle Policy Framework (2009)</b>	Sets a target where 10% of all journeys will be made by bike by 2020 Proposes the planning, infrastructure, communication,• education and stakeholder participations measures required to implement the initiative
<b>Actions for Biodiversity 2011-2016. Irelands National</b>	‘Actions for Biodiversity 2011-2016’ builds upon the achievements of the previous plan and focuses on actions that were not fully completed and addresses emerging issues. It has been developed in line with the EU and International Biodiversity strategies and policies. The measures Ireland will take are presented as 102 actions under a series of 7 Strategic Objectives. The objectives cover the conservation of biodiversity in the wider countryside and in the marine environment, both within and outside protected areas; the mainstreaming of biodiversity across the decision making

Plan/Strategy	Policy Direction
<b>Biodiversity Plan (2011-2016)</b>	process in the State; the strengthening of the knowledge base on biodiversity; increasing public awareness and participation; and Ireland's contribution to international biodiversity issues, including North South co-ordination on issues of common interest.
<b>National Heritage Plan, 2002</b>	The purpose of the National Heritage Plan is to set out a clear and coherent strategy and framework for the protection and enhancement of Ireland's heritage over the five years from 2002. The goals of the National Heritage Plan are in line with the principles underlying the Government's Policy Statement on Heritage. The Plan is published with the endorsement of the Government, in fulfilment of a clear commitment in the Government's Action Programme for the Millennium.
<b>National Climate Change Strategy, 2007-2012</b>	This National Climate Change Strategy 2007-2012 was published in April 2007, develops from the 2000 Climate Change Strategy, and it builds on the commitment to sustainable development set out in Towards 2016 taking into account the review contained in Ireland's Pathway to Kyoto Compliance (2006). Its purpose is to demonstrate how Ireland is to meet its 2008-2012 Kyoto commitments and to identify further policy measures needed for the period from 2012 and after 2020.
<b>Delivering a Sustainable Energy Future For Ireland – The Energy Policy Framework 2007 – 2020 (White Paper)</b>	<p>Sub-titled the Energy Policy Framework 2007–2020, this document addresses how Ireland is to respond to international energy supply issues in the context of severe limitations on indigenous fuel supplies. Recognising that 90% of energy is currently imported, the White Paper sets down a series of strategic goals.</p> <p>These include actions relating to security of energy supply, of which the development of additional electrical inter-connectors with other European Countries is a particular priority. Other measures include ensuring fuel diversity, the upgrading of the national transmission networks, stimulating hydrocarbon exploration and contingency planning in respect of possible energy supply disruption. The sustainable supply and use of energy is also a theme, with policy proposals to address climate change and energy efficiency. In relation to the use of renewables, a highly ambitious 33% contribution to electricity generation by 2020 is proposed.</p>
<b>National Landscape Strategy 2014 (draft)</b>	Aims to set out specific measures to integrate and embed landscape considerations in all sectors which influence the landscape and improve and enhance decision-making

Plan/Strategy	Policy Direction
<b>Green, Low-Carbon, Agri-environment Scheme (GLAS) 2015 onwards</b>	Incorporate environmental protection measures and practices into farming inc biodiversity, landscape, archaeological, water quality protection and climate change mitigation.
<b>Making Ireland's Development Sustainable 2002</b>	This document focuses on the link between economic activity and pressures on the environment. Sustainable development emerged as an idea in the late 1980s and led to the Earth Summit in Rio de Janeiro in 1992. At the Summit, world leaders agreed to implement an action programme for sustainable development called, Agenda 21. The Irish Government published Sustainable Development: A Strategy for Ireland in 1997 which applies Agenda 21 in Irish circumstances. Making Ireland's Development Sustainable reviews progress with sustainable development in Ireland since Rio, assesses the challenge we now face and sets out policies and actions to meet that challenge.
<b>South-West Regional Planning Guidelines 2010-2022</b>	<p>The Regional Planning Guidelines (RPG's) have been developed on the basis of guidance provided through the National Spatial Strategy and a wide range of plans that exist at individual agency level throughout the region. The task of the guidelines is to provide a broad canvas to steer the sustainable growth and prosperity of the region and its people up to 2022. Among the goals outlined in the guidelines is the goal to 'promote the sustainable development of Mallow and Tralee/Killarney as vibrant hub towns – creating a critical mass in terms of population, employment and services, which will enable them to attract investment and people – thereby supporting the role of the Gateway and delivering balanced regional development within the Southwest, through energising smaller towns and rural areas within the sphere of influence'.</p> <p>The following are indicated to be the key principles of the South West Regional Planning Guidelines 2010-2022, which underpin the vision for the South West Region:-</p> <ul style="list-style-type: none"> <li>• Prioritise sustainable economic growth and increased competitiveness within the Gateway and Hubs and encourage balanced growth in the key settlements of the rural areas.</li> <li>• Promote and develop the region as an attractive area to live and work with an excellent quality of life and strong sense of place.</li> <li>• Promote security of energy supply and develop renewable energy in the region in a sustainable manner.</li> </ul>

Plan/Strategy	Policy Direction
	<ul style="list-style-type: none"> <li>• Deliver an integrated and cost effective transportation and infrastructure system (including broadband) throughout the region in a sustainable manner.</li> <li>• Protect and enhance the natural landscape and heritage assets of the region and promote sustainable urban and rural tourism.</li> </ul>
<b>Wild Atlantic Way – Fáilte Ireland operational programme (2015-2019).</b>	The Operational Programme for the Wild Atlantic Way sets out a strategy a framework and a programme – including goals and objectives – for sustainable implementation over the period 2015-2019
<b>Kerry Local Community and Economic Plan 2016-2022 (LECP)</b>	The LECP identifies objectives and actions so as to strengthen and develop the economic and community dimensions the County over a six year period. This is to be achieved by respective LAs directly and in partnership with other economic and community development stakeholders. The LECP consists of high level Goals, supported by specific Objectives under the respective economic and community streams. Each of these objectives is supported by specific, time-bound and measurable Actions.
<b>Kerry County Council Heritage and Biodiversity Plan 2008-2012</b>	This document outlines a series of policies aims and actions to deal with education, access, research and management of the county's heritage and biodiversity assets.
<b>Kerry County Development Plan 2015-2021</b>	The County Development Plan sets out an overall strategy for the proper planning and sustainable development of the County. As part of this environmental protection policies and objectives are outlined. A specific chapter on Transport and Infrastructure is included.
<b>Tralee Town Development Plan 2009</b>	This is a Development Plan for Tralee Town. In accordance with its Hub town status, Tralee was allocated significant population targets with lands zoned accordingly to facilitate same.
<b>Tralee Killarney</b>	This is a local area plan for the Kerry Hub Functional Area, as defined in the Kerry County Development Plan 2009-2015,

Plan/Strategy	Policy Direction
<b>Hub FALAP 2013-2019</b>	which includes the settlements of the SPA and Fenit.
<b>Developments / proposals</b>	<p>Tralee is the principle settlement and development node in the County of Kerry while the proposal itself is located in a largely rural area adjoining the Tralee Bay and agricultural farmland.</p> <p>By its nature a wide range of development proposals occur within Tralee Town and its environs. Those considered as part of this current assessment include the proposed Tralee – Fenit road upgrade and widening proposals at the Spa.</p>

Other Relevant Guidelines / Strategies	Guidance / Strategy Direction
<b>Architectural Heritage Protection Guidelines 2004</b>	These guidelines are a response to Section 52 of the Act, which requires that guidelines are issued to planning authorities on the need to protect structures of architectural, historical or other importance and on the preservation of the character of architectural conservation areas. These Guidelines contain criteria to be applied when a local authority is selecting buildings for inclusion in its Record of Protected Structures. Guidance is also offered about the issuing of declarations on protected structures, as well as in respect of determining planning applications affecting both protected structures and the exteriors of buildings within Architectural Conservation Areas.
<b>The Planning System and Flood Risk Management, Guidelines for Planning Authorities, DoEHLG, November 2009</b>	<p>These Guidelines introduce comprehensive mechanisms for the incorporation of flood risk identification, assessment and management into the planning process. Implementation of the Guidelines will be achieved through actions at the national, regional, local authority and site-specific levels.</p> <p>At city and county level:</p> <ul style="list-style-type: none"> <li>• Planning authorities will introduce flood risk assessment as an integral and leading element of their development planning functions under the Planning Code and at the earliest practicable opportunity in line with the requirements of these Guidelines.</li> <li>• The new flood risk assessment system will be aligned with the existing Strategic Environmental Assessment (SEA) process introducing processes for identifying flood risk and determining what flood risk assessment is required and</li> </ul>

Other Relevant Guidelines / Strategies	Guidance / Strategy Direction
	<p>carrying out such assessments similar to the overall system for screening and scoping under the SEA process.</p> <ul style="list-style-type: none"> <li>• City and county development plans will establish the flood risk assessment requirements for their functional areas including other planning authorities such as Town Councils and any local area plans (LAP) which may be supplemented by more detailed site-specific flood risk assessment required to comply with these Guidelines.</li> <li>• Planning authorities will assess planning applications for development in accordance with the provisions of these Guidelines following the guidance of their own or any OPW Strategic Flood Risk Assessment and the application of the sequential approach and, if necessary, the Justification Test required by these Guidelines.</li> <li>• Planning authorities will ensure that development is not permitted in areas of flood risk, particularly floodplains, except where there are no suitable alternative sites available in areas at lower risk that are consistent with the objectives of proper planning and sustainable development. Where such development has to take place, in the case of urban regeneration for example, the type of development has to be carefully considered and the risks should be mitigated and managed through location, layout and design of the development to reduce flood risk to an acceptable level.</li> <li>• Planning authorities will ensure that only developments consistent with the overall policy and technical approaches of these Guidelines will be approved and permission will be refused where flood issues have not been, or cannot be, addressed successfully and where the presence of unacceptable residual flood risks to the development, its occupants or users and adjoining property remains. Under the Planning and Development Act 2000, planning permission refused for the reason that the proposed development is in an area which is at risk of flooding excludes compensation.</li> </ul>
<b>Delivering Homes, Sustaining Communities</b>	<p>The 2007 policy statement Delivering Homes, Sustaining Communities provides a key foundation in the policy framework for an integrated approach to housing and planning. Continued strong demand for housing is recognised as presenting major challenges in respect of the planning of new housing and associated services. Sustainable neighbourhoods involve the efficient use of land and quality urban design, effectively integrated with the supply of appropriate physical and social infrastructure. By providing a quality environment, sustainable neighbourhoods also contribute to the provision of attractive locations to support the NSS' objectives for a more coherent form of future regional development.</p>
<b>National Strategy for</b>	<p>The National Strategy for Biodegradable Waste was published in April 2006, being an obligation on Ireland under the Landfill Directive. An aim is to set out how the three progressive landfill diversion targets of the Directive are to have</p>

Other Relevant Guidelines / Strategies	Guidance / Strategy Direction
<b>Biodegradable Waste</b>	effect. While significant progress in the development of recycling and waste reclamation initiatives is noted, the continuing national dependency on landfill is described as substantial. It states that a major increase in recycling and biological treatment capacity is necessary in order to facilitate the EU requirements for the diversion of biodegradable municipal waste away from landfill.
<b>Agenda 21</b>	Agenda 21 was the main outcome of the United Nations' Conference on Environment and Development that was held in Rio de Janeiro in 1992. That Conference endorsed the concept of sustainable development, requiring that economic growth must be compatible with the needs of both present and future generations and that environmental protection should form an integral part of the development process. These principles are required to be supported by a precautionary approach, which ensures that an absence of complete scientific certainty is not a justification of postponing measures to prevent environmental degradation. The key role of EIA is stressed in respect of activities that may have a significant affect on the environment. Local Agenda 21 aims to promote sustainable development at local and regional level.
<b>Kyoto Protocol</b>	The Kyoto Protocol is an agreement made under the United Nations' Framework Convention on Climate Change. It was decided in December 1997 and entered into force on 16 February 2005. Its objective is to substantially reduce greenhouse gas emissions as a response to climate change. Developed countries, the so-called Annex I states, have to reduce their greenhouse gas emissions by a collective average of 5% below their 1990 levels. An Annex I country which fails to meet its Kyoto obligation is subject to possible penalties, although the Protocol also makes provision for flexible mechanisms which permit the purchasing of greenhouse gas emission allowances from other states. The National Climate Change Strategy sets out how Ireland is participating in this process.
<b>Johannesburg Plan of Implementation</b>	This international policy initiative sets out an action plan for the implementation of the activities adopted at the World Summit on Sustainable Development in 2002. It covers topics such as poverty eradication, changing unsustainable patterns of production and consumption, managing natural resources, sustainable development and other aspects of the implementation of Agenda 21.
<b>UN Convention on Biological</b>	The UN Convention on Biological Diversity was a direct result of the Earth Summit in Rio de Janeiro. It came into force in 1993, being ratified by Ireland in 1996. Its objective is the conservation of global biodiversity, as well as to ensure



Other Relevant Guidelines / Strategies	Guidance / Strategy Direction
<b>Diversity</b>	<p>equitable access to the world's genetic resources.</p> <p>It requires each party to develop strategies, plans or programmes for the conservation and sustainable use of biological diversity and that these should be integrated into other national initiatives that may have biodiversity implications. Monitoring programmes and appropriate designations for protected areas must be established, while undesirable alien species which threaten ecosystems should be controlled. In April 2002, the Parties to the Convention committed themselves to achieve, by 2010, a significant reduction of the current rate of biodiversity loss at global, regional and national levels.</p>

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## Appendix C: FONSE Report

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### 1. Introduction

This Findings of No Significant Effects Report (FONSE) documents the conclusions of the screening process for a Habitats Directive Assessment of the R558 Fenit Road Improvement Proposals as set out in this report. The proposed project is being screened at this stage in order to assess if there is likely to be a significant effect on any Natura 2000 site.

### 2. Name and Location of Natura 2000 sites

The following Natura 2000 sites are within 15km of the development site.

#### Special Areas of Conservation

- Ballyseedy Woods SAC (Site Code 002112)
- Slieve Mish Mountains SAC (Site Code 002185)
- Tralee Bay and Magharees Peninsula West Cloghane SAC (Site Code 002070)
- Castlemaine Harbour SAC (Site Code 000343)
- Akeragh, Banna and Barrow Harbour SAC (Site Code 000332)
- Mount Brandon SAC (Site Code)
- Magharees Islands SAC (Site Code 002261)
- Lower Shannon SAC (Site Code 002165)

#### Special Protected Areas:

- Tralee Bay Complex SPA (Site Code 004188)
- Magharee Islands SPA (Site Code 004125)
- Akeragh, Banna and Barrow Harbour SPA (Site Code 004079)
- Stack's To Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (Site Code 004161)
- Castlemaine Harbour SPA (Site Code 004029)
- Kerry Head SPA (Site Code 004189)

Of these the proposed works are adjoin the Tralee Bay and Magharees Peninsula West Cloghane SAC (Site Code 002070) and the Tralee Bay Complex SPA. Further to the screening assessment undertaken, these sites were deemed to be the most likely to be potentially impacted by way of the proposal.

### **3. Description of the project or plan**

This is a road realignment project on the R558 Tralee to Fenit Road at Gaynors Bends, Co Kerry. The proposed site is located in the townland of Ballymakegoge approx 6 Km to the west of Tralee Town, Co Kerry. The realignment is primarily focused on addressing the bends on the Tralee to Fenit road known locally as Gaynor's bends. The length of the proposed scheme is approx 905m and the final paved width would be 8m. Improvement works also include the provision of 1m grass verges and a working space either side between the grass verges and the proposed boundary lines. Drainage channels and boundary treatment are also included. Also provided for is 1 No. junction to serve the bypassed road. The proposed widening will require contour re-profiling works to the west. Boundary treatment / fencing, a mammal underpass, water quality protection measures and invasive species management / landscaping, are provided for in line with best practice NRA (TII) Guidelines.

### **4. Is this project or plan directly connected with or necessary to the management of the sites (provide details)?**

The proposed development is not directly connected with or necessary to the management of Natura 2000 sites.

### **5. Are there other projects or plans that together with the project or plan being assessed could affect the sites (provide details)?**

None identified. The assessment did consider other existing and permitted plans and projects but ruled out the potential for impact.

### **6. Describe how the project or plan (alone or in combination) is likely to affect Natura 2000 sites**

Following a Habitats Directive Assessment of the project, no likely affects to Natura 2000 sites were identified.

### **7. Explain why these effects are not considered significant**

Following the screening of the proposed development for possible significant effects on the Natura 2000 sites detailed in this report, no significant affects were identified. The nature, scale and location of the development implies that no significant effects are likely. The proposal is not located within Natura 2000 sites and would not result in loss of qualifying habitat. It is noted that the proposal for the most part makes use of the existing road corridor and incorporates a mammal underpass which would improve landscape connectivity. Potential for disturbance / displacement of Birdlife was considered and ruled out.

### **8. Who carried out this assessment?**

This assessment was carried out by the Environmental Assessment Unit of Kerry County Council.

### **9. Sources of data**

The Habitats Directive Assessment of potential impacts on the integrity of Natura 2000 sites in this study is based on consultation, a desktop review of literature, existing and relevant NPWS Natura 2000 Site Synopses Data, Qualifying Interests, Conservation Management Plans and the (draft) Conservation Objectives.

Data collected to carry out the assessment in this report includes:

- Identification of Natura 2000 sites located within or immediately adjoining the plan area in situ and ex situ
- Mapping of Natura 2000 sites located within the plan area
- Identification of the reasons for site designation,
- Identification of (draft) conservation objectives
- Identification of the environmental conditions considered necessary to support site integrity
- Summary of key issues identified as being of importance in maintaining site integrity
- Identification of Natura 2000 sites which may be potentially affected by the project
- Examination of the National Biodiversity Data Centre Biodiversity map viewer
- Literature review

#### **10. Level of assessment completed**

Stage One Screening.

#### **11. Where the full results of the assessment can be accessed and viewed?**

The full results of the assessment are contained within this document.

#### **12. Overall Conclusions**

This report concludes that no significant effects on Natura 2000 sites are likely to arise as a result of the proposal either by itself or in combination with other proposals.

#### **13. Explain how the overall conclusion that there are no significant effects on the Natura 2000 site was arrived at**

The overall conclusion that no significant effects on Natura 2000 are likely was determined following a methodological assessment carried out having regard to the following guidance documents:-

- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (2009).
- European Commissions: *Managing Natura 2000 Sites. The provisions of Article 6, of the 'Habitats' Directive 92/43/EEC*

- European Commission: *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*
- Guidance document on Article 6(4) of 'Habitats Directive' 92/43/EEC
- Department of the Environment Heritage and Local Government (DEHLG) Circular letter SEA 1/08 & NPWS 1/08 dated 15 February, 2008.
- Department of the Environment (1994). *Planning and Policy Guidance: Nature Conservation (PPG9)* (HMSO).

In identifying the potential issues which could affect the integrity of these sites a range of factors were taken into account, including the possibility of effects manifesting themselves in the short, medium and long-term, in combination effects and the potential impacts of climate change. In addition the precautionary principle was adhered to in the carrying out of this assessment. Particular attention was given to the consideration of species listed for protection in the Tralee Bay Natura 2000 sites which adjoin the site. In identifying the potential issues which could affect the integrity of these sites a range of factors were taken into account, including the possibility of effects manifesting themselves in the short, medium and long-term, in combination effects and the potential impacts of climate change. In addition the precautionary principle was adhered to in the carrying out of this assessment.

## **14. Conclusion**

### **Conclusion Statement**

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the objective information provided in this report, it is concluded that proposed works individually or in combination with other plans/projects are not likely to have a significant effect on a European site (Natura 2000 site). A Stage 2 Appropriate Assessment / Natura Impact Statement under Section 177V of the Planning and Development Act 2000 (as amended), is not required.

### **Reasons for Conclusion**

Following the screening of the proposed works for possible significant effects on the Natura 2000 sites listed in this report, no significant effects were identified as detailed in this report. As part of this due regard was given to the following:-

- the nature, scale and location of the proposed works;
- the potential for cumulative and in combinations effects;
- the conservation objectives and qualifying interests of Natura 2000 sites in the vicinity.

This report concludes on the basis of objective scientific information, that the proposed project, individually and or in combination with other plans or projects, is not likely to have a significant effect on a European or Natura 2000 site, and accordingly it is considered that a Natura Impact Statement / Stage 2 Appropriate Assessment is not required in this instance.