Habitats Directive Appropriate Assessment Screening Report

for the proposed Future Developments at

Tralee Regional Sports & Leisure Centre, Tralee, Co Kerry

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

Environmental Assessment Unit
Kerry County Council
April 2024

Contents

1 Introduction

1.1 Introduction

This proposal under assessment, seeks to provide additional facilities at the Tralee Regional Sports & Leisure Centre, Tralee, Co Kerry. The development proposes an extension to the existing facilities comprising; 3 lane pool extension, sports hall, therapy suite, astro pitch and tennis court, mobility hub, car park extension and ancillary site works.

This report constitutes Stage 1 Screening which considers the likelihood of significant effects on Natura 2000 Sites of permitting the project. It is an assessment carried out in view of the best scientific knowledge to determine if the project individually or in combination with other plans or projects is likely to have a significant effect on a European site(s). Measures intended to avoid or reduce negative effects on the European sites have not been taken into account in considering whether or not this proposal requires an Appropriate Assessment.

1.2 Habitats Directive Requirements

Natura 2000, as an EU-wide network of nature protection areas, is the centrepiece of EU nature & biodiversity policy. This network aims 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 an emphasis on ensuring that future management is sustainable, both ecologically and economically. Natura 2000 sites, also known as European Sites, incorporate Special Protection Areas (SPA) designated under the 1979 Birds Directive and Special Areas of Conservation (SAC) designated by Member States under the 1992 Habitats Directive, as well as sites awaiting final approval. The European Union has provided guidance as to how to make a Habitats Directive Assessment. This guidance 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 effects on the Natura 2000 site, there is no requirement to proceed further.

Stage One: Screening

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

The screening stage is intended to be a preliminary examination. If the possibility of significant effects cannot be excluded based on objective information, without extensive investigation or the application of mitigation measures, a plan or project should be considered to have a likely significant effect and appropriate assessment carried out. Where significant effects cannot be ruled out, beyond reasonable scientific doubt, at the 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 an NIS prepared for submission to the Competent Authority to assist in the undertaking of an Appropriate Assessment (AA).

The 'test' of likely significant effects as outlined by Advocate General Sharpston in Case C-258/11 Sweetman, paragraph 47 is as follows:- *'It follows that the possibility of there being a significant effect on the site will generate the need for an appropriate assessment for the purposes of Article 6(3). The requirement at this stage that the plan or project be likely to have a significant effect is thus a trigger for the obligation to carry out an appropriate assessment. There is no need to establish such an effect; it is, as Ireland observes, merely necessary to determine that there may be such an effect.'*

Measures intended to avoid or reduce negative effects on the European sites cannot be relied upon in reaching the AA Screening conclusion. Notwithstanding this, routine effective measures may be considered at the AA Screening Stage. The preliminary opinion of Advocate General Kokott as delivered in Case C-721/21 is of relevance in this regard.

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 that 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, wherein the light of an assessment of imperative reasons of overriding public interest, it is deemed that the project or plan should proceed.

1.3 Guidance Documents

This Appropriate Assessment Screening Report has been undertaken in accordance with the European Commission Methodological Guidance Notice 2021/C 437/01, on the provision of Article 6(3) and 6(4) of the 'Habitats' Directive 92/43/EEC (EC, 2021), the European Commission Guidance 'Managing Natura 2000 sites: The provisions of the Habitats Directive' (EC, 2018) and Appropriate Assessment

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 and to NPWS 2019 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 the European Court of Justice case law. Therefore, where significant effects are likely, possible, or uncertain at the screening stage, AA will be required.

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

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

Within this report assessment and identification of potential effects on European Sites is conducted following a standard source-pathway-receptor model, where, in order for an effect to be established all three elements of this mechanism must be in place. The absence or removal of one of the elements of the mechanism is sufficient to conclude that a potential effect is not of any relevance or significance.

- Source(s) – e.g. pollutant run-off from proposed works;
- Pathway(s) – e.g. waterway connecting to nearby qualifying wetland habitats;
- Receptor(s) – qualifying aquatic habitats and species of European Sites. In the interest of this report, receptors are the ecological features that are known to be utilised by the qualifying interests or special conservation interests of a European Site.

A source is any identifiable element of the Proposed Plan that is known to have interactions with ecological processes. The pathways are any connections or links between the source and the receptor.

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

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 Service (NPWS) officials of the Department.

2.2 Assessment

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

3 Description of the Project

This project would see the construction of additional facilities within the existing Tralee Regional Sports & Leisure Centre site. Full project details are provided below:

Characteristics of the Plan or Project	
Size, scale, area, land take	It is proposed to develop a number of new facilities on the campus of Tralee Regional Sports & Leisure Complex to cater for the growing needs of the existing facility and the wider community: • 400 sq m Training Pool - 25m 3 lanes extension to existing pool facility. • 76 sq m Sports Therapy Suite - standalone modular unit for sports therapy/massage/injury assessment. • 1577 sq m Modular Sports Hall – detached structure in area of current All weather court to cater for space deficiency in the current provision. • 925 sq m Astroturf Surfaces – to provide MUGA surface for tennis. • 85no Additional Carparking Spaces & Mobility Hub to increase car parking capacity. See Appendix I for proposed site layout.
Details of physical changes that will take place during the various stages of implementing the proposal	**General Site Clearance** Site clearance will involve: • Training Pool - Removal of existing bituminous front area and green area for foundations & pool tank total volume circa 650m³. Material will be disposed of at an appropriate licensed facility. • Sports Therapy Suite - Removal of existing kerbs and grassed area for base- total volume circa 50m³. Material will be disposed of at an appropriate licensed facility. • Sports Hall - Removal of existing all-weather court surface/fencing, kerbs and footpaths, total volume circa 1275m³. Material will be disposed of at an appropriate licensed facility. • New All-Weather courts - Removal of existing grassed area, total volume circa 50m³. Some fill will be required which will be harvested from suitable excavation/demolition materials. Material will be disposed of at an appropriate licensed facility. • Car Parking & Mobility Hub - Removal of existing kerbs and hard landscaped areas in mobility hub zone, clearance of scrub and overgrown landscaped area, total volume circa 150m³. Material will be disposed of at an appropriate licensed facility. • Cleaning and jetting of existing drainage systems

Characteristics of the Plan or Project	
	Construction • Training Pool – Construction of 400 sq m training pool, steel post and glulam beams surrounded by charcoal brick masonry envelope with Kalwall fenestration and glazed roof light. The extension will connect to existing pool facility at learner pool western link structure. Specialised pool structure assembly in the ground with backfilled pea gravel ballast and concrete deck finished in safety vinyl floor finish • 76 sq m Sports Therapy Suite will be housed in rented modular accommodation on foundation pads with ramped and stepped access. • 1577 sq m Sports Hall by specialist modular solutions suppliers SPANTECH or similar approved. The solution for sports arena structure is built using circular construction methods and eco-friendly features like natural lighting and insulation. These future-proof buildings are also mobile, allowing for easy disassembly and relocation of them to different locations for maximum flexibility. • New All-weather courts – Two no. courts with MUGA sports surface complete with perimeter fencing & ball stop netting to match existing all-weather installations. • 85 New car parking spaces & Mobility Hub for ev-vehicle charging and lending. • Landscaping works. Planting of new trees and shrubbery. Provision of street furniture such as planting boxes, benches, and bike stands.
Description of resource requirements for the construction/operation and decommissioning of the proposal (water resources, construction material, human presence etc)	• Materials required to construct the project will include clean crushed limestone, pea gravel, concrete, prefabricated steel structures, galvanised steel purlins, prefabricated cladding, Kalwall fenestration panels, insulated modular units, paving, precast concrete kerbing, gully pots, PVC drainage pipes. Additionally, ducting along with associated electrical and telecommunications cabling and installations, will be required for Building lighting, public lighting, and features. All of these materials will need to be imported to the site through public road haulage. • Plant on site is anticipated to comprise of small Crane (3 months) 5T-40T Excavators (6 months) large Roller (20 days), small roller (3 months), teleporter (18 months), along with various other electrical handheld plant and tools. The anticipated time scale for the projects: • Training Pool - 250 days with an average of 10 construction workers on site per day. A total resource of 2500 person days is anticipated. **(260 working days per year) • Sports Therapy Suite - 30 days with an average of 4 construction workers on site per day. A total resource of 120 person days is anticipated. **(260 working days per year)

Characteristics of the Plan or Project	
	• New Sports Hall - 365 days with an average of 20 construction workers on site per day. A total resource of 7300 person days is anticipated. **(260 working days per year) • New All Weather courts - 90 days with an average of 6 construction workers on site per day. A total resource of 540 person days is anticipated. **(260 working days per year) • New Car Parking/mobility hub – 60 days with an average of 5 construction workers on site per day. A total resource of 300 person days is anticipated. **(260 working days per year)
Description of timescale for the various activities that will take place as a result of implementation (including likely start and finish date)	Construction of all projects is expected to last approximately 18 Months in total, depending on start dates for each element. The anticipated start date is Q1 2025 with a finish date of late Q2 2026. Night works will be required for elements of the project, such as large deliveries of materials and utility connections, to minimise the impacts of any traffic congestion and temporary road closures.
Description of wastes arising and other residues (including quantities) and their disposal	Approximately 3000T of material will need to be removed from the site. All waste material will be removed by an approved Licensed Waste Contractor and disposed of as required by authorised waste facilities approved by Kerry County Council. Any recyclable material will be disposed of at a recycling centre. All bituminous material is confirmed as being non-hazardous and can be recycled into new asphalt material, or along with excavated concrete, reused as general fill material, subject to EPA Article 27 approval for the contractor.
Description of any additional services required to implement the project or plan, their location and means of construction	The project comprises online construction in a suburban area and will require night works at various stages to minimise traffic delays. Elevated levels of traffic disruption and noise pollution are anticipated. A detailed traffic management plan and limitations on noise and night-time works will be included in the contract documents.
Other	The development of the campus with these new facilities will allow the sports complex to continue to deliver state-of-the-art, best-practice facilities for the proven growing need for Tralee & the wider region.

4 Identification of Natura 2000 Sites potentially affected.

The proposed works are located upstream of the Tralee Bay and Magharees Peninsula, West to Cloghane SAC and Tralee Bay Complex SPA. Several others are located within the wider area. As part of this assessment Natura 2000 sites which are located within 15 km of the development location were taken into consideration (see Figure 1).

European Natura 2000 sites located in the vicinity:

Special Areas of Conservation (SAC)

- SAC 002112 - Ballyseedy Wood SAC;
- SAC 002070 - Tralee Bay and Magharees Peninsula, West to Cloghane SAC;
- SAC 002185 - Slieve Mish Mountains SAC;
- SAC 000332 - Akeragh, Banna and Barrow Harbour SAC;
- SAC 002165 - Lower River Shannon SAC;
- SAC 000343 - Castlemaine Harbour SAC.

Special Protection Areas (SPA)

- SPA 004188 - Tralee Bay Complex SPA;
- SPA 004161 - Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA;
- SPA 004029 - Castlemaine Harbour SPA.

Figure 1: Natura 2000 sites located within 15 km of the proposed works (Red), SAC (Brown) and SPA (Green).

4.1 Preliminary assessment to identify which Natura 2000 Sites could potentially be affected

Preliminary Appropriate Assessment Screening Matrix: A preliminary assessment of *likely significant effects* of the project on European Natura 2000 Sites.

European Site (code)	List of Qualifying Interest/Special Conservation Interest	Distance from proposed development (km)	Connections (Source- Pathway- Receptor)	Considered further in screening Y/N
Ballyseedy Wood SAC (002112)	1 Qualify Interests (QIs) https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002112.pdf	2.2km southeast	**No** No ecological or hydrological connections/pathways exist.	**No** Screened out for the need for Appropriate Assessment
Tralee Bay and Magharees Peninsula, West to Cloghane SAC (002070)	20 Qualify Interests (QIs) https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002070.pdf	2.3km southwest	**Yes** Based on proximity, the potential hydrological connection and the precautionary principle this European site is screened in for more detailed Appropriate Assessment Screening.	**Yes** Screened in for need for more detailed Appropriate Assessment Screening
Slieve Mish Mountains SAC (002185)	8 Qualify Interests (QIs) https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002185.pdf	3.7km south	**No** No ecological or hydrological connections/pathways exist.	**No** Screened out for the need for Appropriate Assessment

European Site (code)	List of Qualifying Interest/Special Conservation Interest	Distance from proposed development (km)	Connections (Source- Pathway- Receptor)	Considered further in screening Y/N
Akeragh, Banna and Barrow Harbour SAC (000332)	9 Qualify Interests (QIs) https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000332.pdf	9.7km west	**No** No ecological or hydrological connections/pathways exist.	**No** Screened out for the need for Appropriate Assessment
Castlemaine Harbour SAC (000343)	19 Qualify Interests (QIs) https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000343.pdf	11.9km south	**No** No ecological or hydrological connections/pathways exist.	**No** Screened out for the need for Appropriate Assessment
Lower River Shannon SAC (002165)	21 Qualify Interests (QIs) https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002165.pdf	13.1km north	**No** No ecological or hydrological connections/pathways exist.	**No** Screened out for the need for Appropriate Assessment
Tralee Bay Complex SPA (004188)	QI - 23 bird species. https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004188.pdf	2.2km south	**Yes** Based on proximity, the potential hydrological connection and the precautionary principle this European site is screened in for more detailed Appropriate Assessment Screening.	**Yes** Screened in for need for more detailed Appropriate Assessment Screening

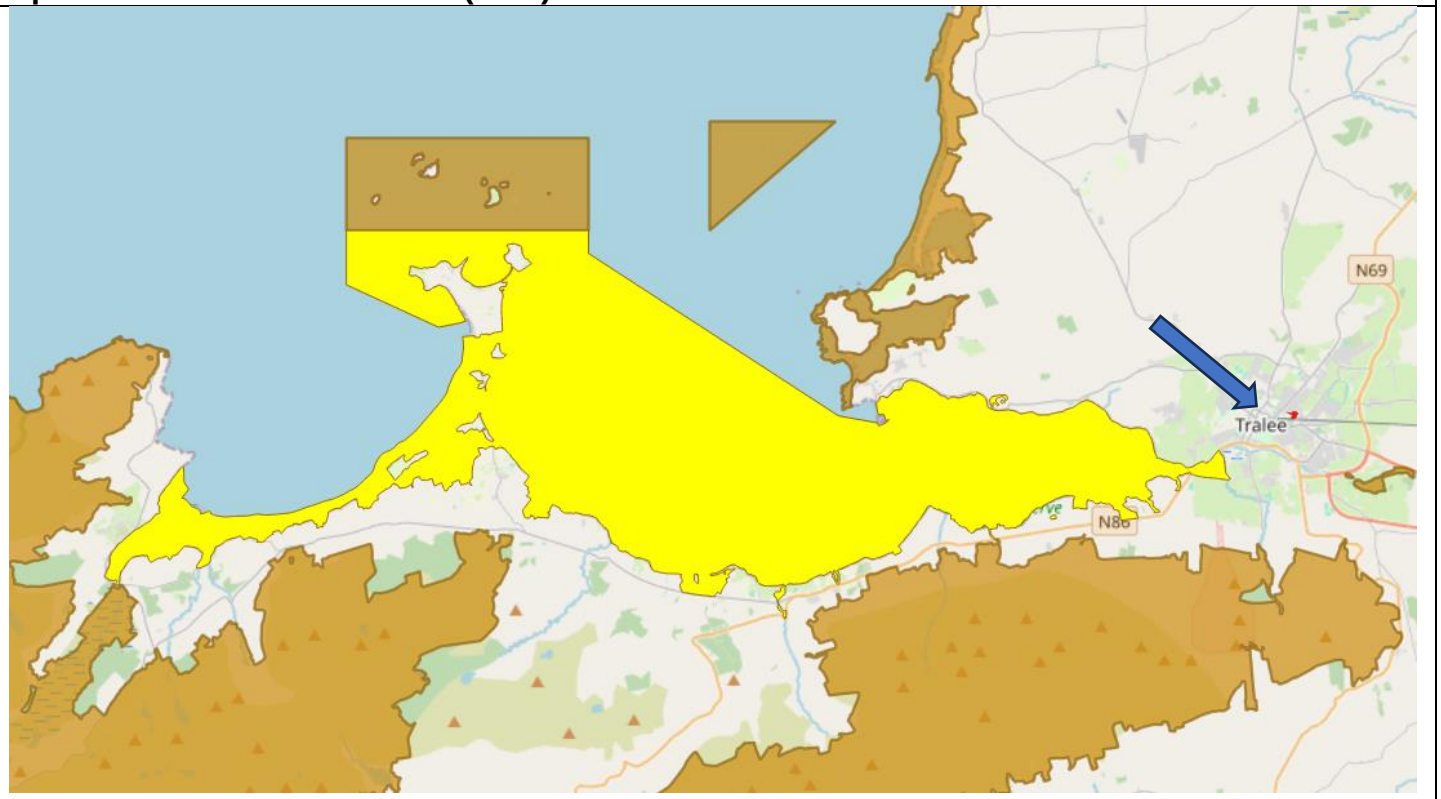
European Site (code)	List of Qualifying Interest/Special Conservation Interest	Distance from proposed development (km)	Connections (Source- Pathway- Receptor)	Considered further in screening Y/N
Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (004038)	QI - 1 bird species. https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004038.pdf	6.9km northeast	**No** No possibility of effects due to the separation distance and lack of meaningful pathway of impact between the SCI birds / their ecological requirements and the proposed development site.	**No** Screened out for the need for Appropriate Assessment
Castlemaine Harbour SPA (004029)	QI - 17 bird species. https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004029.pdf	13.3km south	**No** No possibility of effects due to the separation distance and lack of meaningful pathway of impact between the SCI birds / their ecological requirements and the proposed development site.	**No** Screened out for the need for Appropriate Assessment

4.2 Summary of Preliminary AA Screening Exercise

The proposed works are located upstream of the Tralee Bay and Magharees Peninsula, West to Cloghane SAC (002070) and Tralee Bay Complex SPA (4188). There are no other connecting pathways between the development (source) and Natura 2000 sites (receptors).
The theoretical potential for impact on the Ballyseedy Wood SAC, Slieve Mish Mountains SAC, Akeragh, Banna and Barrow Harbour SAC, Lower River Shannon SAC, Castlemaine Harbour SAC, Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA and Castlemaine Harbour SPA can be ruled out beyond reasonable scientific doubt due to the separation distance and the lack of a hydrological connection between the site works and the Natura 2000 site.

The potential for a significant effect on the Tralee Bay and Magharees Peninsula, West to Cloghane SAC and Tralee Bay Complex SPA will be considered further in this assessment.

5 Identification and description of potential individual and cumulative significant effects of Plan or Project

Natura 2000 Site: Tralee Bay and Magharees Peninsula, West to Cloghane SAC (Site Code 002070)	
Site designation status	**Special Area of Conservation (SAC)**
The Natura 2000 site is highlighted in yellow. Tralee is located by the blue arrow.	
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 the site has been designated an SPA.

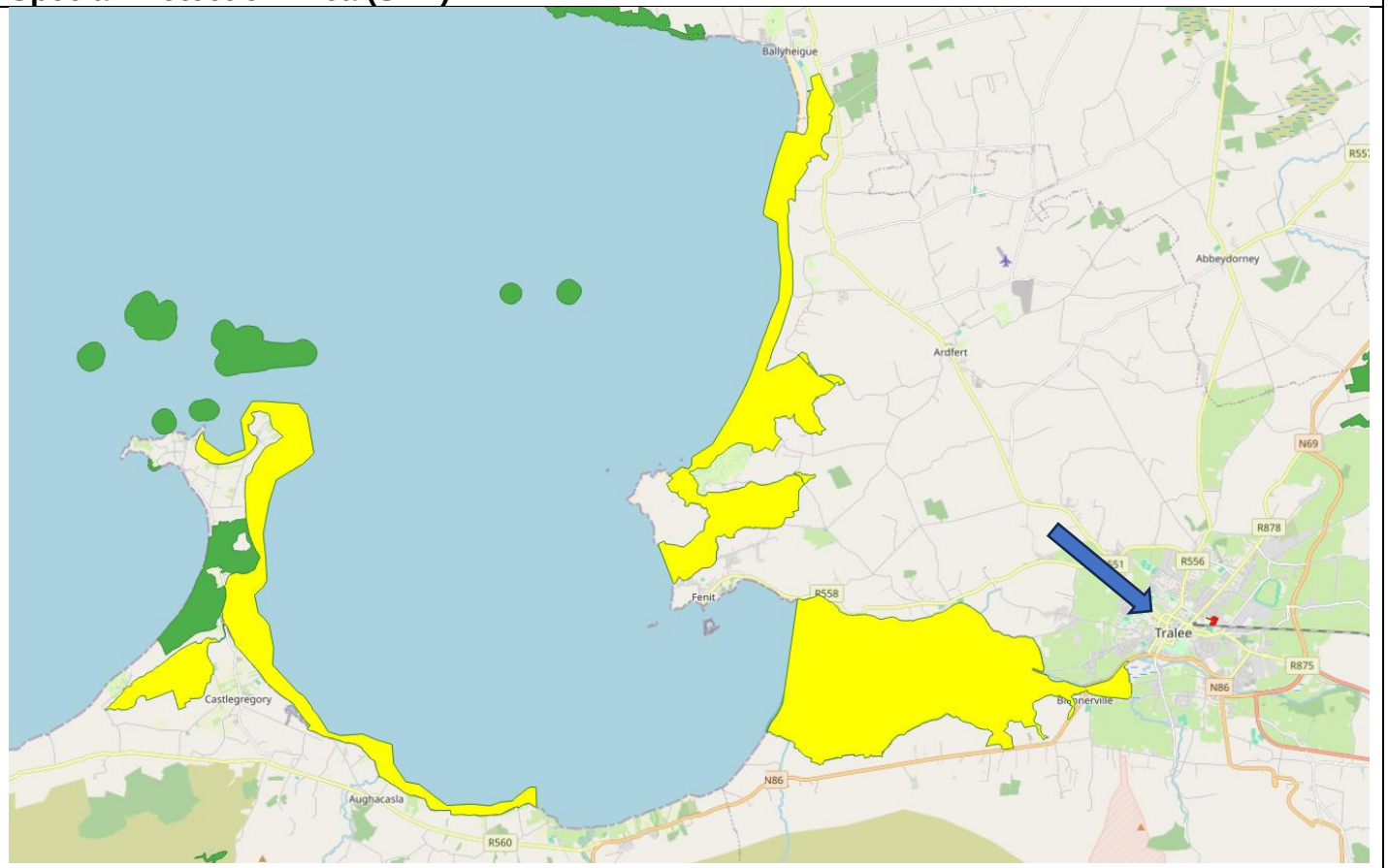
<table>
<tr><th colspan="2">Natura 2000 Site: Tralee Bay and Magharees Peninsula, West to Cloghane SAC (Site Code 002070)</th></tr>
<tr><td></td><td>Both the Tralee and Brandon (Owenmore) estuaries feature wide expanses of sheltered intertidal flats, often fringed with saltmarsh vegetation. The majority 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.

More information on this Natura 2000 site is available from the NPWS and on-line at: www.NPWS.ie</td></tr>
<tr><td>Qualifying species</td><td>• Otter (Lutra lutra) [1355]
• Petalwort (Petalophyllum ralfsii) [1395]

<table>
<tr><th colspan="2">Status of key species of interest</th></tr>
<tr><th>Features of Interest</th><th>Objective</th></tr>
<tr><td>Otter Lutra lutra</td><td>To restore the favourable conservation condition</td></tr>
<tr><td>Petalwort</td><td>To restore the favourable conservation condition</td></tr>
</table>
</td></tr>
<tr><td>Qualifying habitats</td><td>• Estuaries [1130]
• Mudflats and sandflats not covered by seawater at low tide [1140]
• Coastal lagoons [1150]
• Large shallow inlets and bays [1160]
• Reefs [1170]
• Annual vegetation of drift lines [1210]
• Perennial vegetation of stony banks [1220]
• Salicornia and other annuals colonizing mud and sand [1310]
• Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]
• Mediterranean salt meadows (Juncetalia maritimi) [1410]
• Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120]
• Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]
• Dunes with Salix repens ssp.argentea (Salix arenariae) [2170]
• Humid dune slacks [2190]
• Molinia meadows on calcareous, peaty or clavey-silt-laden soils (Molinion caeruleae) [6410]
• Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</td></tr>
</table>

Natura 2000 Site: Tralee Bay and Magharees Peninsula, West to Cloghane SAC (Site Code 002070)		
	Status of key habitats of interest	
	Features of Interest	**Objective**
	Estuaries	To maintain the favourable conservation condition
	Mudflats and sandflats not covered by seawater at low tide	To maintain the favourable conservation condition
	Coastal lagoons	To restore the favourable conservation condition
	Large shallow inlets and bays	To maintain the favourable conservation condition
	Reefs	To maintain the favourable conservation condition
	Annual vegetation of drift lines	To restore the favourable conservation condition
	Perennial vegetation of stony banks	To maintain the favourable conservation condition
	Salicornia and other annuals colonizing mud and sand	To maintain the favourable conservation condition
	Atlantic salt meadows (Glauco-Puccinellietalia maritimae)	To maintain the favourable conservation condition
	Mediterranean salt meadows (Juncetalia maritimi)	To maintain the favourable conservation condition
	Shifting dunes along the shoreline with Ammophila arenaria (white dunes)	To restore the favourable conservation condition
	Fixed coastal dunes with herbaceous vegetation (grey dunes)	To restore the favourable conservation condition
	Dunes with Salix repens ssp. argentea (Salix arenariae)	To maintain the favourable conservation condition
	Humid dune slacks	To restore the favourable conservation condition
	Molinia meadows on calcareous, peaty or clavey-silt-laden soils (Molinion caeruleae)	To maintain the favourable conservation condition

Natura 2000 Site: Tralee Bay and Magharees Peninsula, West to Cloghane SAC (Site Code 002070)	
	Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) — To restore the favourable conservation condition
Non-qualifying species and habitats of interest	Additional Special Conservation Interests: 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 several Red Data Book species including the largest population of Natterjack Toads in Ireland, is notable.
Unit size	11,632.15Ha
Condition/threats	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 (*Hippophae rhamnoides*). Agricultural run-off from areas of fertilised dune grasslands in the vicinity of Lough Gill poses 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. Generally, the intertidal areas are relatively robust, although certain communities are vulnerable. For example, *Spartina* has spread widely, and may oust less vigorous colonisers of mud and may also reduce the area of mudflats 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.

Natura 2000 Site: Tralee Bay Complex SPA (Site Code 004188)	
Site designation status	**Special Protection Area (SPA)**
The Natura 2000 site is highlighted in yellow. Tralee is located by the blue arrow.	
Natura 2000 Site Description	This Natura 2000 site is an amalgamation and extension to the following previously designated Natura 2000 sites: Lough Gill SPA (Site Code 004011), Tralee Bay SPA (Site Code 004018) and Akeragh, Banna & Barrow Harbour SPA (Site Code 004079). 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

Natura 2000 Site: Tralee Bay Complex SPA (Site Code 004188)	
	have a diverse macro-invertebrate fauna, with such species as Cockle (*Cerastoderma edule*), Lugworm (Arenicola marina), Ragworm (*Hediste diversicolor*), Baltic Tellin (*Macorna balthica*) and Shrimp (*Crangon cragon*) occurring. The intertidal flats have extensive beds of Eelgrass (Zostera 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. More information on this Natura 2000 site is available from the NPWS and online at: www.NPWS.ie
Qualifying species	• Whooper Swan (*Cygnus cygnus*) [A038] • Light-bellied Brent Goose (*Branta bernicla hrota*) [A046] • Shelduck (*Tadorna tadorna*) [A048] • Wigeon *(Anas penelope*) [A050] • Teal (*Anas crecca*) [A052] • Mallard (*Anas platyrhynchos*) [A053] • Pintail (*Anas acuta*) [A054] • Scaup (*Aythya marila*) [A062] • Oystercatcher (*Haematopus ostralegus*) [A130] • Ringed Plover (*Charadrius hiaticula*) [A137] • Golden Plover (*Pluvialis apricaria*) [A140] • Grey Plover (*Pluvialis squatarola*) [A141] • Lapwing (*Vanellus vanellus*) [A142] • Sanderling (*Calidris alba*) [A144] • Dunlin (*Calidris alpina*) [A149] • Black-tailed Godwit (*Limosa limosa*) [A156] • Bar-tailed Godwit (*Limosa lapponica*) [A157] • Curlew (*Numenius arquata*) [A160] • Redshank (*Tringa totanus*) [A162] • Turnstone (*Arenaria interpres*) [A169] • Black-headed Gull (*Chroicocephalus ridibundus*) [A179] • Common Gull (*Larus canus*) [A182]
Qualifying habitats	• Wetland and Waterbirds [A999]

Natura 2000 Site: Tralee Bay Complex SPA (Site Code 004188)	
Non-qualifying species and habitats of interest	-
Unit size	The Tralee Bay Complex SPA is located along the coast of North Co. Kerry between Ballyheigue 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 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 to the south of Ballyheigue.
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).

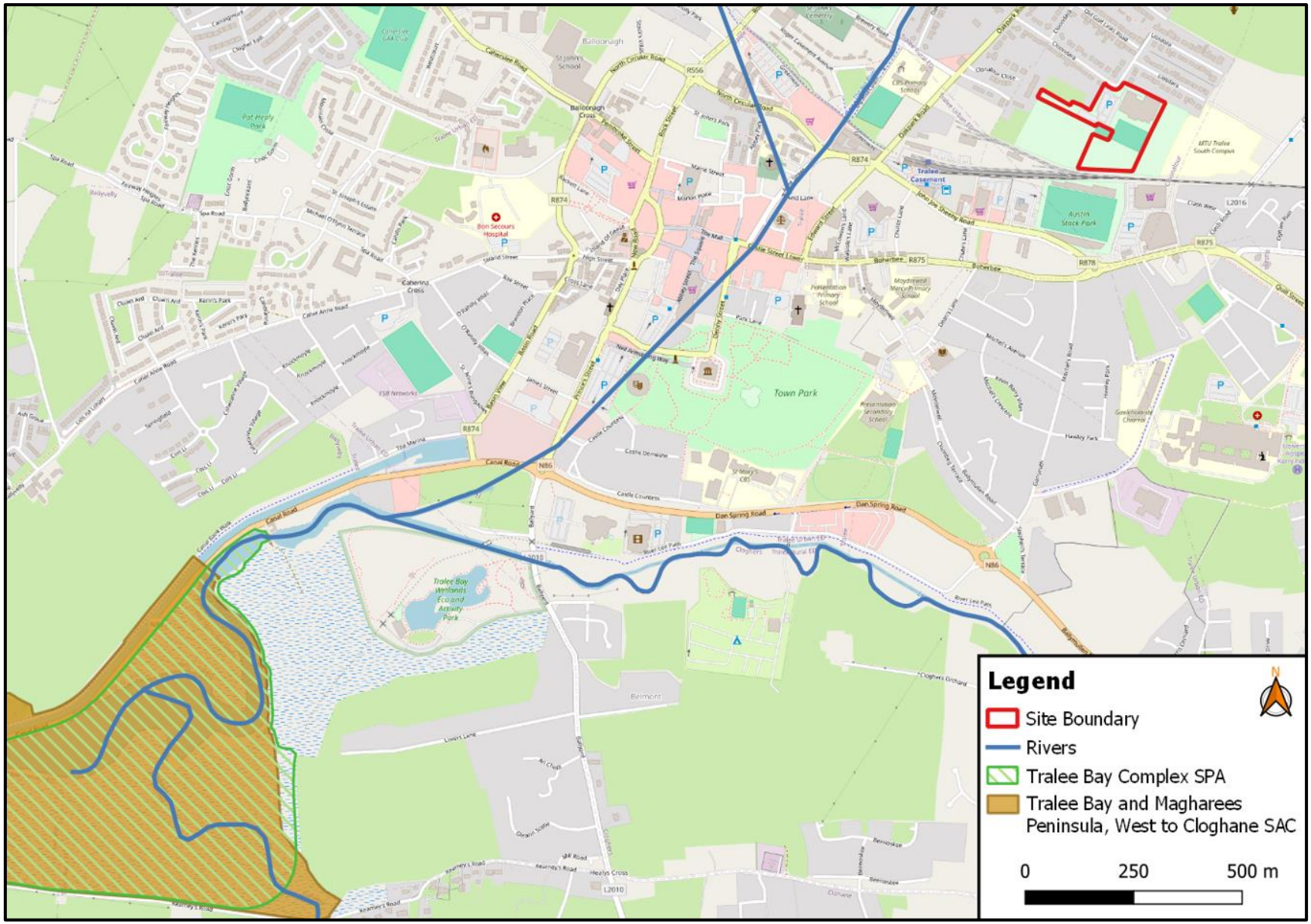


Figure 2. Proposed development location relative to the SAC, SPA, and watercourses.

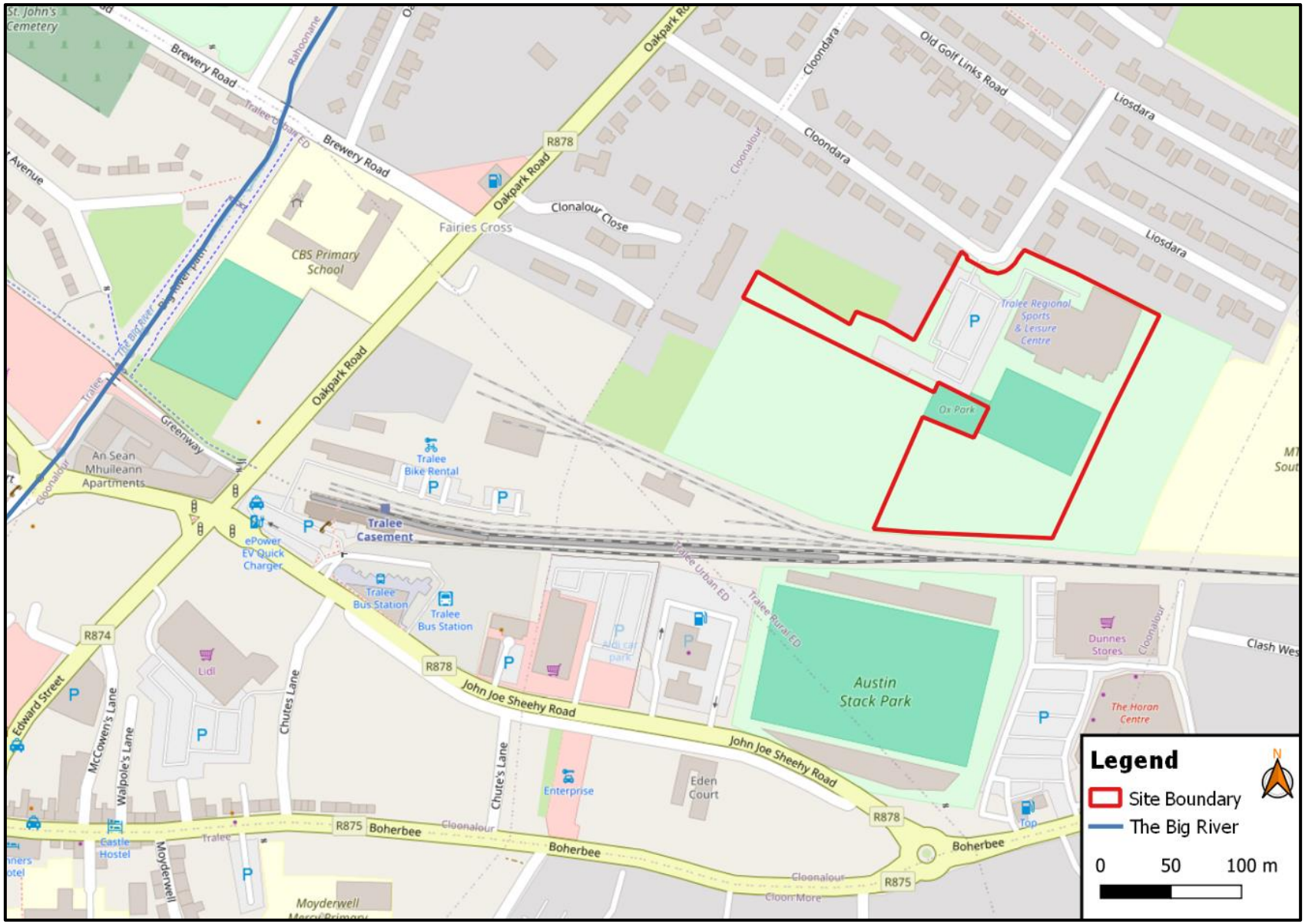


Figure 3. Proposed development location relative to the watercourses.

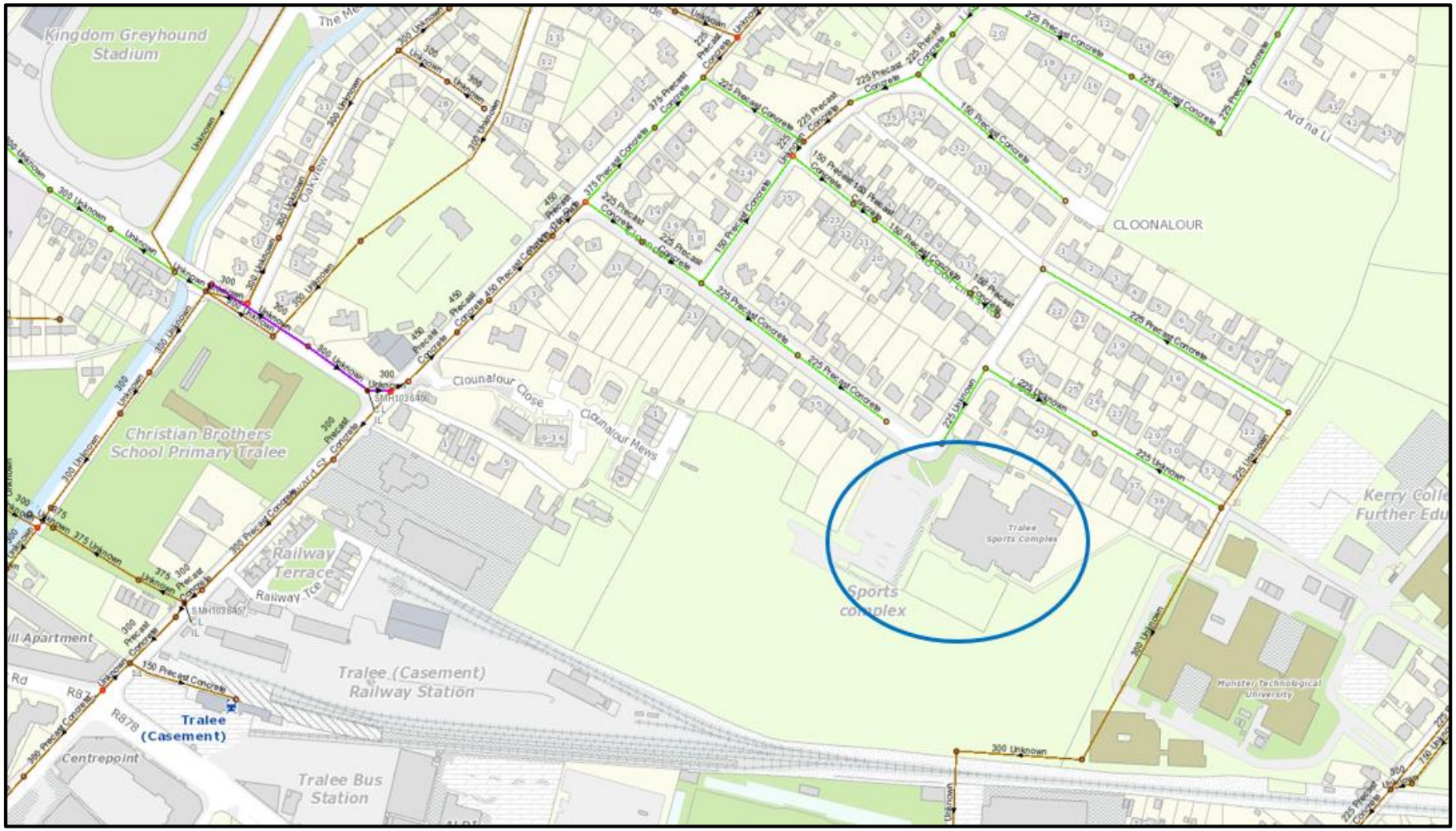


Figure 4. Sewer network in the area, with the project site, highlighted in Blue.

Identification and description of the individual and cumulative significant effects 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	**Consideration of 'in-combination' effects** Construction aspects, including excavation works, could impact water quality downstream by way of sediment release. The use of construction machinery could result in hydrocarbon spillages or leaks. Construction aspects could also facilitate the spread of non-native invasive species. Construction, maintenance and recreational aspects have the potential to disturb Otter. **Plans** The proposed development site is located within the area of influence of the 'Tralee Municipal District Local Area Plan 2018-2024' and the 'Kerry County Development Plan 2022-2028'. These documents outline the importance of supporting the development of sporting facilities and developing sustainable and healthier habits such as walking and cycling and biodiversity protection. **Projects** Land use in the area is a combination of commercial, residential, educational, and recreational. A planning search revealed no permitted (unbuilt) developments at the general location of the proposed works, which could result in 'in-combination' effects. The Tralee Regional Sports & Leisure Centre was originally opened in 1977. It is recognised as one of the few multi-purpose sports facilities that truly envelop the "sports for all" concept by striking a balance of service provision to the general public, sports organisations and groups, schools and colleges. This proposal seeks to enhance the existing facilities onsite which include a 25m swimming pool, a sports hall, a fully equipped gym, squash courts, handball/racquetball courts, and astroturf pitches. The only likely significant effect that would arise in combination with such plans, activities and developments is a reduction in water quality in receiving watercourses. **Climate change** Climate change is likely to result in more extreme weather events. **Elements of the project, either alone or in combination, with the potential to give rise to significant effects:**

Identification and description of the individual and cumulative significant effects of the Plan or Project	
	The proposed project is located within the zone of influence of the Tralee Bay and Magharees Peninsula West to Cloghane SAC (Site Code 002070), and Tralee Bay Complex SPA (Site Code 004188). The proposed development site is geographically removed from European Natura 2000 sites, so the loss of qualifying interest habitat associated with same is not possible. The development will be confined to a brownfield site with existing habitats identified as Buildings and artificial surfaces (BL3) and amenity grassland (improved) (GA2) as per Fossitt (2000) - all of which constitute non-qualifying interest habitats. **Construction phase** Construction activities associated with the construction phase will generate a minor amount of unconsolidated material. Unconsolidated material can potentially constitute a risk to water quality downstream. The scale and the nature of the work in this instance within a serviced urban environment ensures that the potential for such an impact arising in this instance is low. The following impacts could therefore potentially arise: • Habitat degradation downstream in the Tralee Bay and Magharees Peninsula, West to Cloghane SAC by way of potential water quality impacts. • Habitat degradation as a result of the potential facilitation of non-native invasive plant species. • Potential disturbance or displacement impacts to Otter (listed in conservation objectives within the Tralee Bay and Magharees Peninsula, West to Cloghane SAC) and potential for impact on Otter population by way of reduced prey availability associated with potential water/habitat quality impacts. It is considered that more intense weather/storm events associated with climate change exacerbate the potential for a reduction in water quality in receiving watercourses. The potential for significant adverse effects on European sites arising from the proposed development is discussed in the following section. **Operational phase** No realistic potential for adverse impact was identified. The main operational waste will be wastewater (foul and grey water) which will be discharged to the existing connections to the public sewer. Solid waste

Identification and description of the individual and cumulative significant effects of the Plan or Project	
	will be stored in wheeled bins in the storage area at the rear of the building and collected daily or on demand during the peak usage period.
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: • Size and scale • Land-take • Distance from Natura 2000 Site or key features of the Site • Resource requirements • Emissions • Excavation requirements • Transportation requirements • Duration of construction, operation etc • Others	**Size and scale** This proposal is a relatively small-scale construction project, consisting of a 3-lane pool extension, sports hall, therapy suite, astro pitch and tennis court, mobility hub, and car park extension. **Distance from Natura 2000 Site or key features of the Site** The proposal is located upstream of the Tralee Bay and Magharees Peninsula, West to Cloghane SAC and Tralee Bay Complex SPA. No watercourses adjoin the proposed works area. The natural fall of the land from the development site is to adjoining urban environments. Roadside drainage is to the municipal drainage system. **Land take** There will be no land take or loss of habitat within the Natura 2000 site network as a result of this proposal. The proposed land take is located within lands directly adjacent to the existing sports facility, an area which is not located within a European Site. **Resource and excavation requirements** During the construction phase emissions will not be significantly different to those associated with background levels. The proposed works are small in scale, short in duration and unlikely to result in a significant increase in emissions. **Emissions** Emissions will not be significantly different to those associated with background levels. The proposed works are small in scale, short in duration and unlikely to result in a significant increase in emissions. **Transportation requirements** Works will be facilitated by the existing road access arrangements to the site. **Duration of construction, operation, etc**

Identification and description of the individual and cumulative significant effects of the Plan or Project	
	It is anticipated that these works will be carried out within a relatively short construction period of approximately 12 to 18 months. The operational aspects of the proposal will be permanent.

6 Assessment of significant effects on the integrity of Natura 2000 Sites

Describe any likely changes to the site arising as a result of: • Reduction in water quality. • Loss/Reduction of habitat area. • Disturbance of key species. • Reduction or fragmentation of habitat or species. • Disturbance of key species. • Reduction in key indicators of conservation value. • Climate change.	**Water quality – as a key indicator of conservation value** Due to the separation distance and the lack of watercourses, there is no realistic potential for impact on water quality or other indicators of conservation value in this instance, taking account of the nature and scale of the proposed works. **Loss / Reduction of habitat area** The proposed extension is located within an existing greenfield site, adjacent to existing residential housing. It will be located outside of Natura 2000 designations and no direct impacts on key or qualifying interest habitats will occur. The proposed works will not alter the habitats or the balance of these habitats in any way at this location. The nature of the proposal is such that there is no real potential for water quality impacts to arise. Any accidental leakage of hydrocarbons from vehicles would be contained within the existing site which is a significant distance from Tralee Bay. The potential for silt/sediment to be transported to sensitive watercourses is considered very low due to the lack of surface water drains or watercourses flowing through the works area. Natural filtering by the vegetation located between the site and Tralee Bay will act as a natural barrier between the works site and waterbodies. The Conservation Objectives (COs) of Tralee Bay and Magharees Peninsula, West to Cloghane SAC list a number of habitats included as Qualifying Interests for this SAC site. These habitats are predominately coastal, and it is not reasonably foreseeable that the proposed works will result in significant alteration impacts of these coastal and saline/marine habitat types. The COs of this SAC further list 'Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]' habitat type as a woodland Qualifying Feature of Interest. The mapping in the Conservations Objectives for this SAC site indicates that this habitat type is not located in the vicinity of the proposed works. Additionally, the COs for the Tralee Bay Complex SPA list 'Wetland and Waterbirds [A999]' as a resource for the regularly occurring migratory waterbirds that utilise it. The Conservation objective target for this habitat is that 'the permanent area occupied by the wetland habitat should be stable and not significantly less than the

area of 3,657 hectares, other than that occurring from natural patterns of variation'. Due to the separation distance and lack of hydrological connection, it is not reasonably foreseeable that the proposed works will result in significant effects on this target.

Therefore, the proposed works have no potential to cause habitat loss or the reduction of any qualifying interest habitat or functionally linked supporting habitat.

Disturbance to key species

Impact on qualifying species, having regard to conservation objectives of the Natura 2000 sites in the vicinity (disturbance reduction in density etc).

Status of key species of interest and potential for impact - Tralee Bay and Magharees Peninsula, West to Cloghane SAC.

Features of Interest	Objective	Potential for impact
Petalwort *Petalophyllum ralfsii*	To restore the favourable conservation condition	This species is not present within or adjacent to the proposed development. It is also not within the vicinity of the proposed development in such a manner that it could be influenced by changes to hydrology (e.g. drainage or flooding regimes) or the transfer of materials/substances (e.g. nutrients, sediment, chemicals, etc.) Petalwort is mapped as occurring on the dune slacks on the Magharees Peninsula a considerable distance from the proposed development. It can be concluded that the proposal would not significantly effect Petalwort in the Tralee Bay and Magharees Peninsula, West to Cloghane SAC.
Otter *Lutra lutra*	To restore the favourable conservation condition	Otters although rare in parts of Europe, are widely distributed in the Irish countryside in both marine and freshwater habitats. Otter has been identified as utilising Tralee Bay and the Canal.

		Disturbance of Otter can be ruled out, given the habitualisation of Otters at this location to traffic / vehicular movements and recreational activities. In addition, construction will for the most part occur during daylight hours when the species are likely to avoid this area. Once operational this proposal has no potential to impact fisheries populations or other resources of use to Otter. Woodland in the vicinity of watercourses can be of importance to Otters – potentially providing holting sites. This proposal does not have the potential to impact negatively on woodland as there is no woodland within the proposed site. It can be concluded that the proposal would not significantly impact Otter in the Tralee Bay and Magharees Peninsula, West to Cloghane SAC

Status of key species of interest and potential for theoretical impact - Tralee Bay Complex SPA		
Features of Interest	**Objective**	
Whooper Swan (*Cygnus cygnus*) Light-bellied Brent Goose (*Branta bernicla hrota*) Shelduck (*Tadorna tadorna*) Wigeon *(Anas penelope*) Teal (*Anas crecca*) Mallard (*Anas platyrhynchos*) Pintail (*Anas acuta*) Scaup (*Aythya marila*)	To maintain the favourable conservation condition	The ecological characteristics, requirements & specialities of the SCI species largely restrict their distribution to habitats which are not identified within the proposed development site. The SCI species are either intertidal, shallow, or sheltered & shallow subtidal mud and/or sand flat feeders. The Conservation Objective attribute target for the distribution of these SCIs is 'No significant decrease in the range, timing and intensity of use of areas other than that occurring from natural patterns of variation'. The proposed development is an extension of

	Oystercatcher (*Haematopus ostralegus*) Ringed Plover (*Charadrius hiaticula*) Golden Plover (*Pluvialis apricaria*) Grey Plover (*Pluvialis squatarola*) Lapwing (*Vanellus vanellus*) Sanderling (*Calidris alba*) Dunlin (*Calidris alpina*) Black-tailed Godwit (*Limosa limosa*) Bar-tailed Godwit (*Limosa lapponica*) Curlew (*Numenius arquata*) Redshank (*Tringa totanus*) Turnstone (*Arenaria interpres*)		the existing Tralee Sports Complex which is located in an urban environment and is therefore subject to regular disturbance. It is considered that there is no possibility of effects on SCI birds due to the separation distance from the development to areas of interest for the species and the lack of any meaningful ecological connection between the SCI birds / their ecological requirements and the proposed development site. It is concluded that the potential for disturbance of SCI species associated with the SPA from the construction or operational phase can be ruled out having regard to the existing developments in the area and land uses.

Reduction or fragmentation of habitat or species
There will be no habitat loss, fragmentation or land taken from a Natura 2000 site or of functionally linked habitats such as Otter habitat of potential importance as outlined in the Conservation Objective Report for the Tralee Bay and Magharees Peninsula, West to Cloghane SAC.

Disturbance of key species
Disturbance of key species is unlikely to arise as a result of this proposal. Specifically, disturbance of Otters can be ruled out, given the habitualisation of otters to traffic / vehicular movements and recreational activities. Similarly, disturbance to SCIs can be ruled out as discussed above.

Reduction in species density and or changes in key indicators of conservation value
The proposed development has no realistic potential to impact water quality in Tralee Bay or to otherwise reduce species density or change key indicators of conservation value.

	Climate change Climate change is likely to result in more extreme weather events. This consideration has taken into account as part of the consideration of potential cumulative and in combination impacts.
Describe any likely impacts on the Natura 2000 site as a whole in terms of: • Interference with the Key relationships that define the structure of the site • Interference with key relationships that define the function of the site	**Interference with the key relationships that define the structure of the site:** Key relationships that define the structure of the Natura 2000 Sites will not be interfered with or effected by way of this proposal. **Interference with key relationships that define the function of the site:** Key relationships that define the function of the Natura 2000 Sites will not be interfered with or effected by way of this proposal.
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.	Construction works associated with this project are minor in nature, extent, complexity, and duration and will be an extension of existing sports facilities. The project does not have the potential to have significant effects on Natura 2000 sites in the area or elsewhere. The potential for significant effects of the proposal has been ruled out beyond reasonable scientific doubt. Consequently, this Appropriate Assessment screening exercise concludes that a Stage 2 Natura Impact Statement / Appropriate Assessment is not required in this instance.

7 Conclusion of Appropriate Assessment Screening Report

7.1 Conclusion Statement

It is concluded beyond reasonable scientific doubt that the 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, is not required.

7.2 Reasons for Conclusion

- The location of the proposed development within an urban environment and outside of any designated European (Natura 2000) site;
- The nature of the construction works which are small in scale, short in duration and involve limited excavation works;
- The lack of a viable pathway for significant effect or impact;
- The lack of in-combination effects arising from other proposed and permitted development in the vicinity;
- That there would be no significant loss or degradation of European (Natura 2000) habitat;
- That there would be no significant direct or indirect impact on qualifying habitat or species associated with European (Natura 2000) sites as a result of the proposal.

*Note: Measures intended to avoid or reduce negative effects on the European sites have not been relied upon in reaching this conclusion.

Signed: 

Brendan O'Connor (Ecologist)

Environmental Assessment Unit (EAU)

Date: 05/04/2024

Appendix I – Proposed Layout