

Habitats Directive Appropriate Assessment Screening Report

for the proposed

N22 MD O'Shea Roundabout to Ballycasheen Road Upgrade and L3907 Ballycasheen Road Active Travel Project

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



**Environmental Assessment Unit
Kerry County Council
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1 Introduction

1.1 Introduction

This proposal seeks to provide an upgrade of the N22 National Primary Road over a distance of 1.5km from a point 50m East of Woodford Bridge in the Townland Lissyvigeen to a point 100 west of MD O'Shea Roundabout in the Townland of Park and extending along the L3907 Ballycasheen Road over a distance of 300m from the junction with the N22 to the Railway Overbridge in the Townland of Ballycasheen. Works will include introduction of signal-controlled junctions at the L3907 (Ballycasheen Road) and R876 (Park Road) Junctions with the N22; road pavement upgrade and repair, using low noise road surfacing; significant improvement to active travel facilities through redistribution of road space and installation of new and upgrades to existing crossing facilities. Circa 0.1Ha of lands will be required adjacent to the Ballycasheen Road to facilitate widening for active travel, all other works will be undertaken within established road boundaries.

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 proposal, under assessment, seeks to upgrade the N22 National Primary Road over a distance of 1.5km from a point 50m East of Woodford Bridge in the Townland Lissyvigeen to a point 100 west of MD O’Shea Roundabout in the Townland of Park and extending along the L3907 Ballycasheen Road over a distance of 300m from the junction with the N22 to the Railway Overbridge in the Townland of Ballycasheen. As part of this, road space will be allocated for active travel facilities including cycleways and new footpaths. Crossing points, access arrangement and surfaces are also proposed to be upgraded. Full project details are provided below:

Characteristics of the Plan or Project	
Size, scale, area, land take	This project proposes an upgrade of the N22 National Primary Road over a distance of 1.5km from a point 50m East of Woodford Bridge in the Townland Lissyvigeen to a point 100 west of MD O’Shea Roundabout in the Townland of Park and extending along the L3907 Ballycasheen Road over a distance of 300m from the junction with the N22 to the Railway Overbridge in the Townland of Ballycasheen. Works will include introduction of signal-controlled junctions at the L3907 (Ballycasheen Road) and R876 (Park Road) Junctions with the N22; road pavement upgrade and repair, using low noise road surfacing; significant improvement to active travel facilities through redistribution of road space and installation of new and upgrades to existing crossing facilities. Circa 0.1Ha of lands will be required adjacent to the Ballycasheen Road to facilitate widening for active travel, all other works will be undertaken within established road boundaries.
Details of physical changes that will take place during the various stages of implementing the proposal	<p><u>General Site Clearance</u> Site clearance will involve:</p> <ul style="list-style-type: none"> • Removal of existing bituminous road pavement and foundation, total volume circa 2600m³. All bituminous material has been tested and confirmed to be non-hazardous and can be recycled as asphalt product or re-used as general fill. • Removal of existing kerbs and footpaths, total volume circa 875m³. Material will be disposed of at an appropriate licensed facility. • Removal of existing grassed areas and soil, total volume circa 600m³. Material will be disposed of at an appropriate licensed facility. • Removal of up to 50 semi mature broad leaf trees, who’s root structures are damaging existing footpaths. Where feasible trees will be retained or replanted with root protection installations. Material will be disposed of at an appropriate licensed facility.

Characteristics of the Plan or Project

- Removal of circa 70m of existing hedgerow including circa 10 mature trees, generating circa 150m³ of soil and stone waste. Material will be disposed of at an appropriate licensed facility.
- Removal of approximately 130m length of masonry walls, generating circa 70m³ of demolition waste, which will be disposed of at an appropriate licensed facility.
- Cleaning and jetting of existing drainage systems
- Removal of 200m of existing safety barrier. Material will be disposed of at an appropriate licensed facility.
- Removal of existing Road Signage installations. Material will be disposed of at an appropriate licensed facility.
- Removal of existing Pedestrian Crossing installation. Material will be disposed of at an appropriate licensed facility.

Construction

- Renewal of existing road pavement and replacement with Low Noise Stone Mastic Asphalt surfacing within the 50kph and 60kph speed zones, typical 70mm plane out and replacement (19,000m²). Localised excavation and replacement of the road foundation to a depth of 425mm (3,200m²).
- Provision of improved active travel facilities, this will include redistribution of existing traffic lanes in lieu of active travel space and will comprise of 5700m² of cycleway (typical construction 70mm bitumen on 100mm limestone), 4100m² of new footpath (typical construction 100mm concrete on 100mm limestone) bounded by 3400m of concrete kerbing including 200m of high containment kerb to replace safety barrier.
- Introduction of signalised traffic junctions including pedestrian and cycle crossing phases at the L3907 Ballycasheen Road Junction and at the R876 Park Road Junction, along with associated ducting, communications and electrical installations.
- Installation and upgrade of Pedestrian and Cycle Crossings at location west and east of MD O'Shea Roundabout, along with associated ducting, communications and electrical installations.
- Installation of a Pedestrian and Cycle Crossing at Ballycasheen Road, along with associated ducting, communications and electrical installations
- Renewal of drainage system by relocating road gullies to newly established kerb lines.
- Introduction of revised road signage.

Characteristics of the Plan or Project	
	<ul style="list-style-type: none"> • Minor Landscaping works • Relocation of 18 and installation of 22 new public lighting columns. • Construction of 165m of new masonry boundary wall and 75m of timber post and mesh fence.
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"> • Materials required to construct the project will include 3300m³ of bituminous material, 700m³ of concrete, 1650m³ of clean limestone, 3400m of precast concrete kerbing, 110m³ of masonry blockwork, 110 gully pots and 200m of PVC drainage pipes. Additionally, 54 signal columns, 900m of ducting along with associated electrical and telecommunications cabling and installations, will be required for traffic signals and crossings. Road signage and other ancillary items will also be required. All of these materials will need to be imported to site through road haulage. • Plant on site is anticipated to comprise of Road Planer (6 days), Road Paving Machine (18 days) 5T-10T Excavators (180 days) large Roller (12 days), small roller (55 days), teleporter (120 days), along with various other electrical handheld plant and tools. • The anticipated time Scale for the project is 150 days with an average of 10 construction workers on site per day, additionally traffic management crew of 3 people will be required for the 150 day duration. Total resource of 1950 person days is anticipated.
Description of timescale for the various activities that will take place as a result of implementation (including likely start and finish date)	Construction is expected to last approximately 28 weeks, the anticipated start date is October 2025 with a finish date of April 2026. Night works will be required for elements of the project, such as resurfacing at junctions, so as to minimise the impacts of the required road closures.
Description of wastes arising and other residues (including quantities) and their disposal	Approximately 10,000T 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 to 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	The project comprises of online construction in an urban 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

Characteristics of the Plan or Project	
plan, their location and means of construction	traffic management plan and limitations on noise and nighttime works will be included in the contract documents.
Other	When in operation the project is expected to have positive benefits to noise receptors in the Whitebridge Manor Estate, through a combination of reduced traffic speeds, lower emitting noise surfacing and further setback of the traffic lane. The project when completed will provide high quality active travel facilities which in conjunction with other adjoining projects should generate a modal shift away from private car trips.

4 Identification of Natura 2000 Sites potentially affected.

The proposed works are located upstream of the Killarney National Park, MacGillycuddy Reeks and Caragh River Catchment SAC, the Killarney National Park SPA, the Castlemaine Harbour SAC and the Castlemaine Harbour SPA. Several other European Natura 2000 sites are located within the wider area. As part of this assessment, the following Natura 2000 sites which are located within the likely zone of influence of the development location were taken into consideration (see Figure 1).

European Natura 2000 sites located in the vicinity:

Special Areas of Conservation (SAC)

- Killarney National Park, Macgillycuddy's Reeks & Caragh River Catchment SAC (000365);
- Sheheree (Ardagh) Bog SAC (000382);
- Castlemaine Harbour SAC (000343);
- Old Domestic Dwelling, Curraglass Woods SAC (002041);
- Blackwater River (Cork / Waterford) SAC (002170).

Special Protection Areas (SPA)

- Killarney National Park SPA (004038);
- Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (004161)
- Castlemaine Harbour SPA (004029).

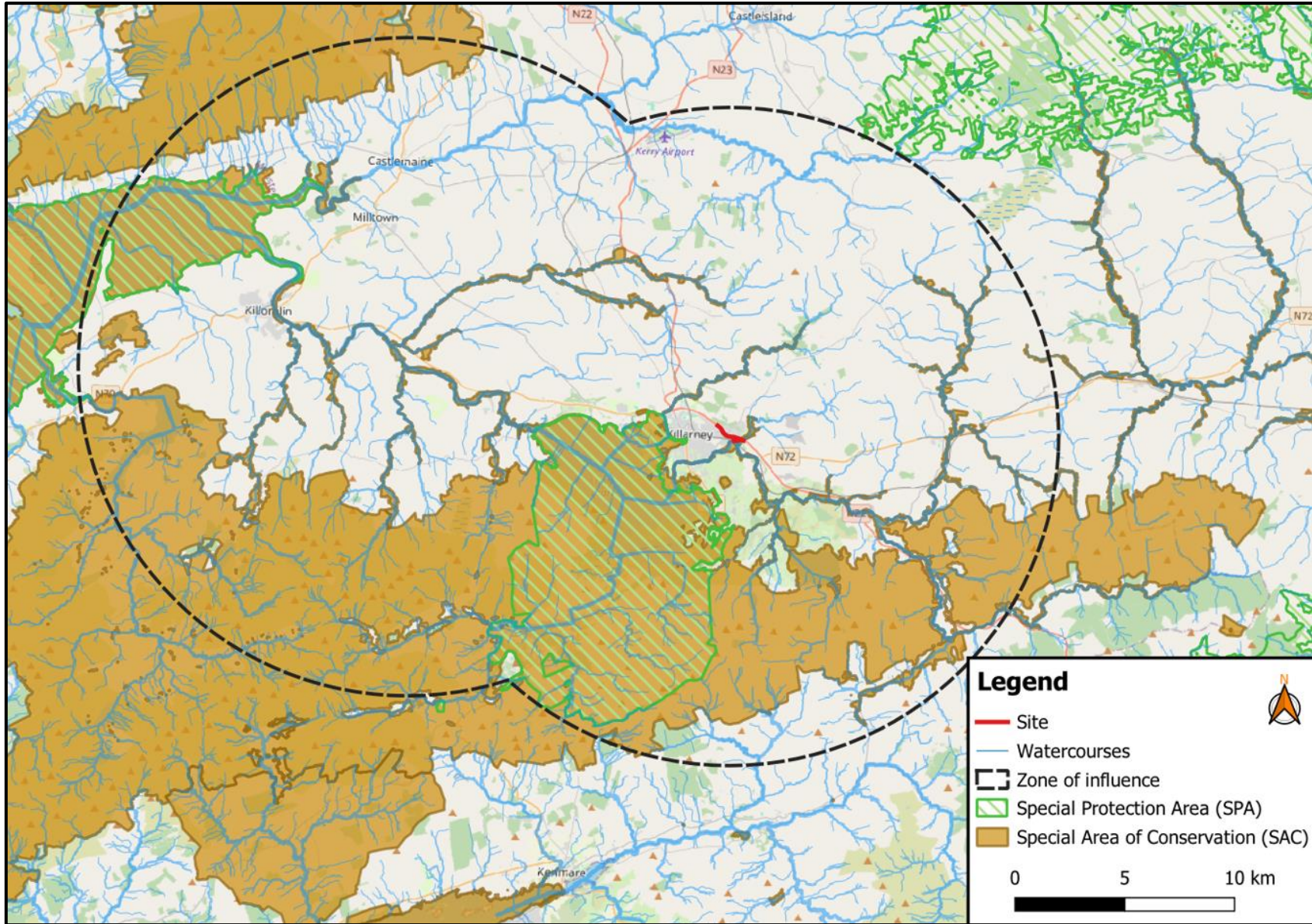


Figure 1: Natura 2000 sites located within the zone of influence of the proposed works (Red), SAC (Brown) and SPA (Green).

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
Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC (000365)	26 Qualify Interests (QIs) https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000365.pdf	Adjacent to SAC	Yes Based on proximity 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
Sheheree (Ardagh) Bog (000382)	2 Qualify Interests (QIs) https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000382.pdf	1.9km south	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	9.0km west	No No ecological or hydrological connections/pathways exist.	No Screened out for the need for Appropriate Assessment
Old Domestic Dwelling, Curraglass Woods SAC (002041)	1 Qualify Interests (QIs) https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002041.pdf	12.7km south	No No ecological or	No Screened out for the

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
	sites/conservation-objectives/CO002041.pdf		hydrological connections/pathways exist.	need for Appropriate Assessment
Blackwater River (Cork / Waterford) SAC (002170)	21 Qualify Interests (QIs) https://www.npws.ie/sites/default/files/protected-sites/conservation-objectives/CO002170.pdf	13.8km northeast	No No ecological or hydrological connections/pathways exist.	No Screened out for the need for Appropriate Assessment
Killarney National Park SPA (004038)	QI - 2 bird species. https://www.npws.ie/sites/default/files/protected-sites/conservation-objectives/CO004038.pdf	2.2km west	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
Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (004161)	QI - 1 bird species. https://www.npws.ie/sites/default/files/protected-sites/conservation-objectives/CO004161.pdf	14.8km 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	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
			proposed development site.	
Castlemaine Harbour SPA (004029)	QI - 16 bird species. https://www.npws.ie/sites/default/files/protected-sites/conservation-objectives/CO004029.pdf	21.6km west	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

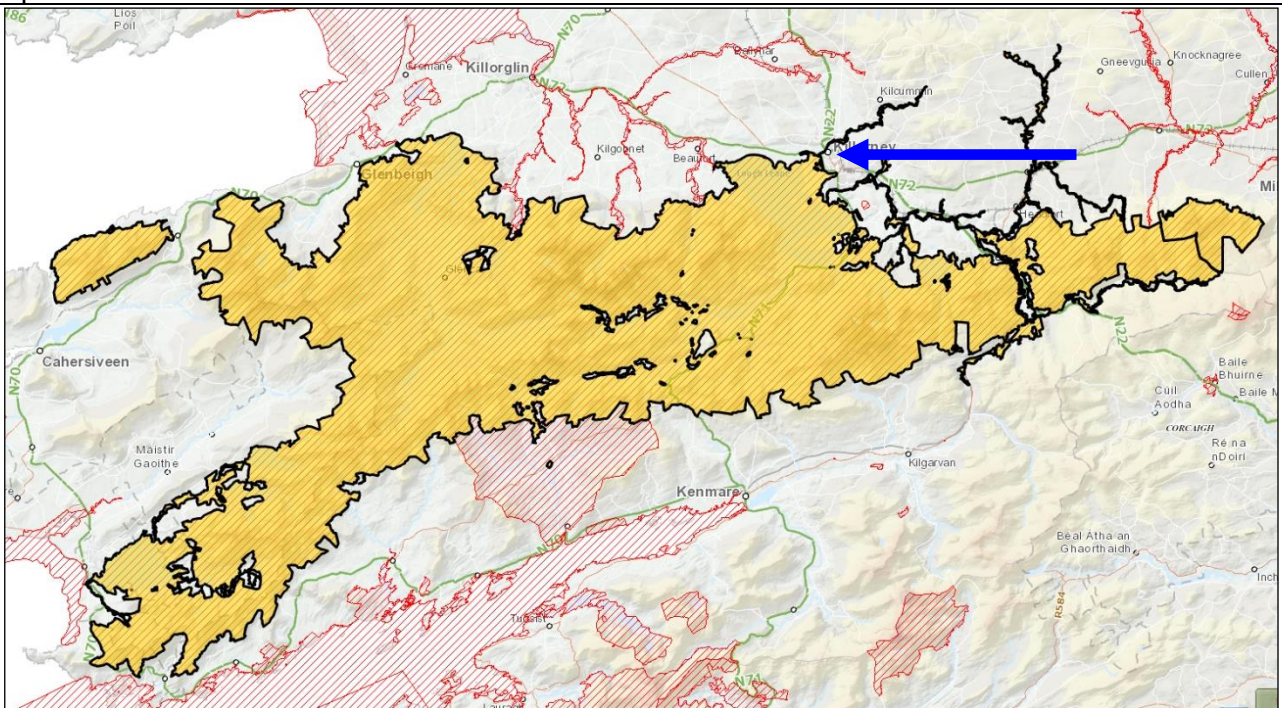
The proposed works area passes over the Woodford River which forms part of the Killarney National Park, MacGillycuddy Reeks and Caragh River Catchment SAC. The proposed works are also located upstream of the Killarney National Park, MacGillycuddy Reeks and Caragh River Catchment SAC, the Killarney National Park SPA, the Castlemaine Harbour SAC and the Castlemaine Harbour SPA. There are no other connecting pathways between the development (source) and Natura 2000 sites (receptors).

The potential for impact on Castlemaine Harbour SAC and Castlemaine Harbour SPA can be ruled out beyond reasonable scientific doubt given the intervening distance between the site works and the Natura 2000 sites and the dilution, assimilative and natural buffering capacity available within the intervening landscape. Potential for impact on Killarney National Park SPA can be ruled out beyond reasonable scientific doubt as the species of conservation interest for that site are birds associated with woodland and wetlands and there is no potential pathway for impact on same or on their supporting habitats.

The potential for impact on Sheheree (Ardagh) Bog SAC, Old Domestic Dwelling, Curraglass Woods SAC, Blackwater River (Cork / Waterford) SAC and Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA can be ruled out beyond reasonable scientific doubt given the separation distance and the lack of a hydrological connection between the project and these European Sites.

The potential for significant effects on the Killarney National Park, Macgillycuddy Reeks and Caragh River Catchment SAC 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: Killarney National Park, MacGillycuddy's Reeks & Caragh River Catchment SAC (Site Code 000365)	
Name	Killarney National Park, MacGillycuddy's Reeks & Caragh River Catchment SAC (Site Code 000365)
Site designation status	Special Area of Conservation
The Natura 2000 site is highlighted in yellow. Killarney is identified by the blue arrow.	
Natura 2000 Site Description	<p>This very large site encompasses the mountains, rivers and lakes of the Iveragh peninsula, and the Paps Mountains which stretch eastward from Killarney towards Millstreet. It is the most mountainous region in Ireland and includes Carrauntoohil (1039m), the highest peak in the country.</p> <p>The underlying geology is almost entirely Old Red Sandstone. The dramatic sandstone ridges and valleys have been shaped by glacial processes and many of the lakes are impounded by glacial moraines. Located close to the Atlantic in the south-west of Ireland, the site is subject to strong oceanic influences. Generally, the Lusitanian flora and fauna is well represented, while the high</p>

Natura 2000 Site: Killarney National Park, MacGillycuddy's Reeks & Caragh River Catchment SAC (Site Code 000365)	
	peaks and cliffs support arctic-alpine relicts. The site is of great ecological interest, with at least ten habitats which are listed on Annex I of the EU Habitats Directive.
Qualifying species	<ul style="list-style-type: none"> • <i>Alosa fallax</i> (Killarney shad), • <i>Trichomanes speciosum</i> (Killarney Fern), • <i>Najas flexilis</i> (Slender Naiad), • <i>Geomalacus maculosus</i> (Kerry spotted slug) • <i>Euphydryas aurinia</i> (Marsh Fritillary) • <i>Rhinolophus hipposideros</i> (Lesser Horseshoe Bat) • <i>Petromyzon marinus</i> (Sea Lamprey) • <i>Lampetra planeri</i> (European Brook Lamprey) • <i>Salmo salar</i> (Atlantic Salmon) • <i>Lampetra fluviatilis</i> (River Lamprey) • <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) • <i>Lutra lutra</i> (European Otter)
Qualifying habitats	<ul style="list-style-type: none"> • Depressions on peat substrates of the Rhynchosporion; • Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>); • Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or of the <i>Isoëto-Nanojuncetea</i>; • Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation; • European dry heaths; • <i>Juniperus communis</i> formations on heaths or calcareous grasslands; • Calaminarian grasslands of the <i>Violetalia calaminariae</i>; • <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>); • Blanket bog; • Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in British Isles; • Alpine and Boreal heaths; <i>Taxus baccata</i> woods of the British Isles; • Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>); • Northern Atlantic wet heaths with <i>Erica tetralix</i>
Unit size	76,445Ha

Natura 2000 Site: Killarney National Park, MacGillycuddy's Reeks & Caragh River Catchment SAC (Site Code 000365)

Non-qualifying species and habitats of interest

An additional twenty-two Red Data Book plant species have been recorded, but only twelve of these have been seen recently. These are Pillwort (*Pilularia globulifera*), Kerry Lily (*Simethis planifolia*), Irish Lady's Tresses (*Spiranthes romanzoffiana*), Slender Cottongrass (*Eriophorum gracile*), Slender Cudweed (*Logfia minima*), Betony (*Stachys officinalis*), Heath Cudweed (*Omalotheca sylvatica*), Alder Buckthorn (*Frangula alnus*), Alpine Saw-wort (*Saussurea alpina*), Hoary Whitlowgrass (*Draba incana*), Smooth Brome (*Bromus racemosus*) and Holly Fern (*Polystichum lonchitis*). The first seven of these species are legally protected (Flora Protection Order, 1999). The site is very important for oceanic bryophytes, particularly the woodland species. It also contains good representative examples of the Northern Atlantic Hepatic Mat community and other oceanic montane communities. Killarney Oak woods and mountains have been nominated as a site of international importance for bryophytes. Additional plant species of interest include a fern (*Dryopteris affinis* subsp. *stilluppensis*) and a Whitebeam (*Sorbus anglica*), both at their only Irish locations.

The Killarney Woods are notable for the number of rare species of Myxomycete fungus that have been recorded, namely *Collaria arcyronema*, *Craterium muscorum*, *Cribraria microcarpa* (only known Irish site), *C. rufa*, *C. violacea*, *Diderma chondrioderma*, *D. lucidum*, *D. ochraceum*, *Fuligo muscorum*, *Licea marginata*.

The site has six bird species which are listed on Annex I of the EU Birds Directive. A small flock of Greenland White-fronted Geese, which winters on the boglands within the National Park, is now the only regular flock in the south-west. The site has one of the highest concentrations of breeding Peregrines in the country, as well as some breeding Merlin. Chough is found both in the coastal areas and inland areas of the site, with possibly up to 30 pairs breeding. Kingfisher is a species associated with the lakes and rivers, especially in the National Park and probably breeds. Finally, a few pairs of Common Tern breed within the site. The woodlands provide habitat for a variety of breeding birds, most notably Garden Warbler, Blackcap, and probably a few pairs each of the rare Redstart and Wood Warbler. Lough Leane is a site for wintering wildfowl with the following the average counts for the two winters 1995/96 and 1996/97: Teal (208), Mallard (350), Pochard (81), Tufted Duck (323) and Coot (169).

Also of note is the glacial relict, Arctic Charr (*Salvelinus alpinus*), a Red Data Book fish species, a unique form of which is found in Lough Coomasaharn.

Other invertebrate species of note include: three chironomids of international importance found in the River Flesk; a wood ant (*Formica lugubris*) at one of only four Irish sites; a snail (*Limnaea*

Natura 2000 Site: Killarney National Park, MacGillycuddy's Reeks & Caragh River Catchment SAC (Site Code 000365)	
	<i>involuta</i>), in Lough Crincaum, at its only known location; two dragonflies (<i>Cordulea aenea</i> and <i>Somatochlora arctica</i>), the former at one of only two known sites in Ireland and the latter at its only known Irish location; and several other aquatic and woodland species at their only known Irish locations.
Unit size	72,960Ha
Condition / threats	Grazing from sheep and deer is a threat to certain habitats within the site. Most of the lakes are very acid sensitive and therefore vulnerable to afforestation within the catchment areas. Most are also oligotrophic and so are vulnerable to nutrient pollution. The bogs are sensitive to grazing and are also threatened by turbary, burning and afforestation. The site is also under threat from invasive non-native species, including zebra mussels and rhododendron. A rhododendron removal programme is underway in the National Park and in the McGillycuddy Reeks.

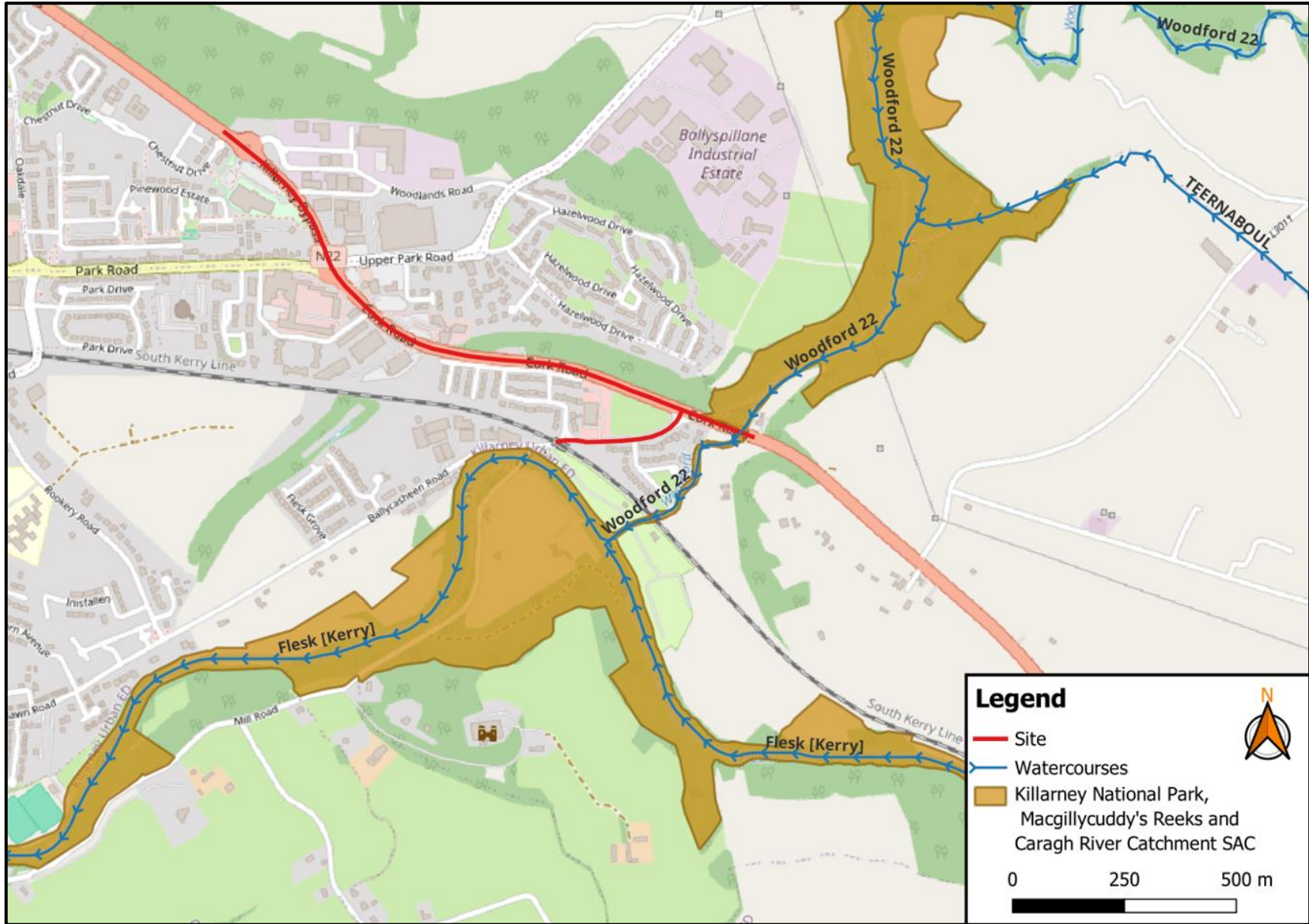


Figure 2. Proposed development location relative to the SAC and Flesk and Woodford rivers.

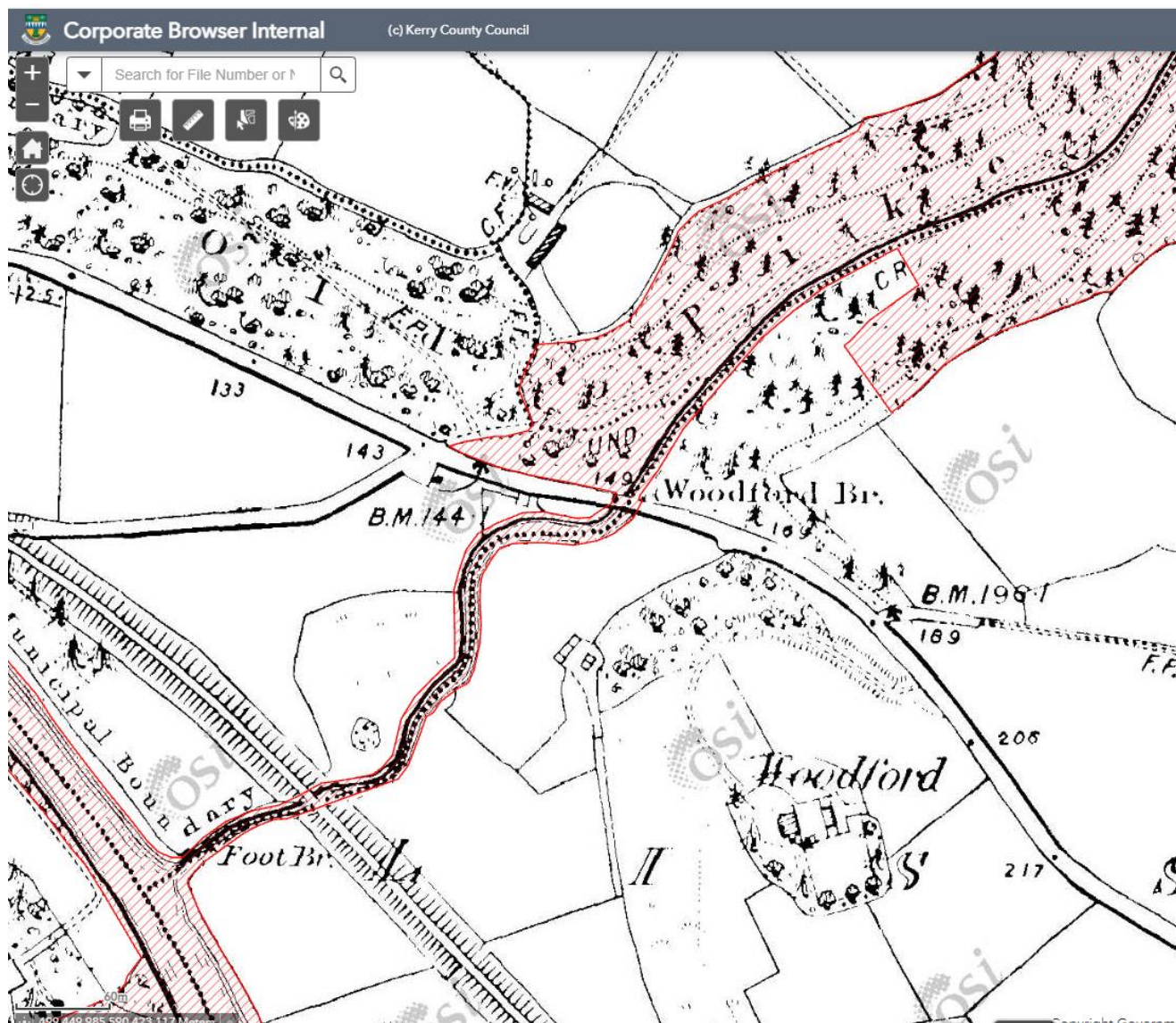


Figure 3: Killarney National Park, McGillicuddy's Reeks & Caragh River Catchment SAC boundary relative to the N22 roadway in the vicinity of Woodford Bridge.

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 'Killarney Municipal District Local Area Plan' and the 'Kerry County Development Plan 2022-2028, which includes the 'Killarney Town Development Plan'. These documents outline the importance of transport connectivity, active travel, and biodiversity protection.

Projects

Land use in the area is urban in nature. A planning search revealed no permitted (unbuilt) developments at the general location of the proposed works, which could result in 'in-combination' effects. It is noted that KCC / TII have separate plans to upgrade the Lewis Road and Kilcummin Road Junctions on the Killarney Bypass and to provide an underpass under the N22. Development consent is also in pace for a Cycle lanes project in Killarney town which includes the following:

- along Rock Road in Killarney extending the existing cycleway to Cleeny roundabout
- along Upper Lewis road along the Fitzgerald stadium
- along Park road
- from Deerpark to Killarney Sports & leisure centre
- along Anne's road

In addition, there is a development currently going through the planning process, located in the vicinity of the proposed upgrade works. It is a mixed-use development consisting of a 90-bed nursing home and independent living units located at the junction of Ballycasheen Road and the N22 National Primary Road (Ref no. 23759). Additionally, a Large-Scale Residential Development (LRD) which includes 249 off-dwellings (Ref no. 23967) has recently received planning permission in the area. Neither development will

Identification and description of the individual and cumulative significant effects of the Plan or Project

result in 'in-combination' effects. Both developments (if permitted) would benefit from the improved active travel facilities and crossings. They are considered to be complementary to each other as part of the sustainable growth of the town.

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:

The proposed project is located within the zone of influence of the Killarney National Park, MacGillycuddy's Reeks & Caragh River Catchment SAC (Site Code 000365).

Loss of habitat is not possible as works are confined to within the existing road boundaries (disturbed ground, made ground, amenity grassland, dry meadows and grassy verge and other non -qualifying interest habitat). Excavations associated with the construction phase will generate unconsolidated material, though it is noted that deep excavations are not required in this instance. In addition, the small scale and the nature of the work proposed, which involves a limited area under excavation at any time and all within the existing road boundaries ensures that the potential for such an impact arising is low. Proposed works east (up gradient) of Woodford Bridge will be limited to minor road surface repairs. It is also noted that while the Woodford River crosses under the roadway, drainage from the works area does not discharge to same. Roadside drainage is to the municipal drainage network.

There is no potential for construction stage species disturbance. The N22 and Ballycasheen Road (L3907) are busy roadways. No additional noise or disturbance of significance is likely to arise. There is no potential for any operational stage impacts given the nature of the proposed upgrade works within the existing road boundaries.

Summary of elements of the project which have the potential to give rise to significant effects:

Identification and description of the individual and cumulative significant effects of the Plan or Project	
	<p><i>Excavations associated with the construction phase can generate unconsolidated material which could potentially make its way to watercourses and reduce water quality (sedimentation) – though the risks of same are considered to be low.</i></p>
<p>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> <ul style="list-style-type: none"> • 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 	<p>Size and scale This proposal is a relatively small-scale road improvement project. For the most part, it seeks to reallocate the existing public road space for pedestrians and cycling infrastructure. The proposal is c.1.8km in length, from the Woodford Bridge west to MD O’Shea Roundabout and including the Ballycasheen Road to the Railway Overbridge.</p> <p>Distance from Natura 2000 Site or key features of the Site The proposed works area passes over the Woodford River which forms part of the Killarney National Park, MacGillycuddy Reeks and Caragh River Catchment SAC. No watercourses adjoin the proposed works area other than the Woodford River. The proposed works up gradient of Woodford Bridge will be limited to minor road surface repairs.</p> <p>On the Ballycasheen Road (L3907) linear works will commence approx. 85m east of the River Flesk which forms part of the Killarney National Park, MacGillycuddy Reeks and Caragh River Catchment SAC and continue west to the junction with the N22. The works will occur down gradient of the River Flesk. Roadside drainage is to the existing municipal drainage system. The nearest known Lesser Horseshoe Bat Roosts are located within Killarney National Park and are geographically removed from the works areas and there is no potential for impact on same or associated foraging / commuting habitat.</p> <p>Land take There will be no land take or loss of qualifying or potentially supporting habitat associated with the Natura 2000 site network as a result of this proposal. A number of trees immediately adjoining the Ballycasheen Road would be lost, predominantly comprising semi-mature birch trees which are not of high ecological or landscape connectivity value. No changes of significance are proposed to the existing lighting apart from minor modifications at pedestrian crossings. The Conservation objective report for the SAC outlines potential foraging habitat for the Lesser Horseshoe Bat – none of which would be impacted by this</p>

Identification and description of the individual and cumulative significant effects of the Plan or Project

proposal. No treelines or other features of potential landscape connectivity for the species would be impacted.

Resource and excavation requirements

Minimal requirements for excavation and building materials. No large-scale or complex excavation works are required.

Emissions

Emissions will not be significantly different to those associated with maintenance and usage of the existing roadway. 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 network.

Duration of construction, operation, etc

It is anticipated that these works will be carried out within a relatively short construction period of approximately 28 weeks. The operational aspects of the proposal will be permanent.

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

<p>Describe any likely changes to the site arising as a result of:</p> <ul style="list-style-type: none"> • Reduction of habitat area • Disturbance of key species • Habitat or species fragmentation • Reduction in species density • Changes in key indicators of conservation value • Climate change 	<p>Loss / Reduction of habitat area The proposal would be accommodated within the existing road boundaries. There is no potential for habitat loss or reduction of any qualifying interest habitat or functionally linked supporting habitat.</p> <p>Changes in key indicators of conservation value such as a decrease in water quality and quantity Construction projects can release sediment once the soil is disturbed. In this instance, the small scale and the nature of the work, which involves a limited area under excavation at any time, ensures that the potential for such an impact arising in this instance is low. It is considered that any such release would not impact on Natura 2000 or functionally linked habitat quality downstream having regard to the minor scale of the works generally within existing road boundaries. It is noted that roadside drainage is to the municipal drainage system and that no works of substance are occurring adjacent to the Flesk or Woodford rivers which form part of the SAC.</p> <p>Disturbance to key species Disturbance of species can be ruled out with certainty in this instance as the noise and activities associated with the development works will be temporary in nature and will not differ significantly from those associated with the existing use of the roads. Operational stage impacts will be similar to existing ones and are not likely to be significant. This will be further assessed below:</p> <p>Impact on qualifying species, having regard to conservation objectives of the Natura 2000 sites in the vicinity (reduction in density etc)</p> <ul style="list-style-type: none"> • Lesser Horseshoe Bat (<i>Rhinolophus hipposideros</i>) The location of potential foraging and commuting habitat for the species outlined in the conservation objectives report for the Killarney National Park, MacGillycuddy Reeks and Caragh River Catchment SAC was taken into account as part of this assessment. It is considered that there is no potential for these to be impacted by way of this proposal. No significant loss of habitat or any potential commuting routes is considered likely. The lighting proposals will not differ significantly to those of the existing
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	<p>ones and would not fragment potential commuting routes for the species or otherwise significantly affect the species.</p> <ul style="list-style-type: none"> • Otter (Lutra lutra) No significant loss of habitat or any potential commuting routes is considered likely. The proposal does not impact bridges or make culverts less accessible to Otters and is not one which could impact or disturb Otter movements in the landscape. • Other species Potential impact on other species can be ruled out given the scale, nature and location of the works. <p>Climate change Climate change is likely to result in more extreme weather events. This consideration has been considered as part of this assessment.</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>
<p>Describe any likely impacts on the Natura 2000 site as a whole in terms of:</p> <ul style="list-style-type: none"> • Interference with the Key relationships that define the structure of the site • Interference with key relationships that define the function of the site 	<p>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.</p> <p>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.</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 make use of the existing road infrastructure and overall are relatively minor in scale, complexity and duration and do not have the potential to have significant effects on Natura 2000 European 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 <u>not</u> required in this instance.</p>

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 the existing public road boundaries;
- The nature of the works which are small in scale, short in duration and involve limited excavation works;
- The weak and interrupted hydrological connection between the works area and the Killarney National Park, MacGillycuddy Reeks & Caragh River Catchment SAC, which includes discharge to the municipal drainage system. In addition, there is no possibility of discharge to the adjoining River Flesk or Woodford River which form part of the SAC;
- The lack of in-combination effects arising from other projects in the vicinity;
- That there would be no significant loss or degradation of Natura 2000 habitat or functionally linked habitat, including potential foraging habitat for Lesser Horseshoe Bat;
- That there would be no significant direct or indirect impact on qualifying habitat or species associated with 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: 11/12/2024