

National Transport Authority

Kimmage to City Centre Core Bus Corridor Scheme

Appropriate Assessment Screening Determination

The National Transport Authority (the "NTA") is proposing to carry out the Kimmage to City Centre Core Bus Corridor Scheme (the "Proposed Scheme").

The Proposed Scheme will be approximately 3.7km in length and will commence on R817 Kimmage Road Lower at the junction with the R818 on Terenure Road West and Kimmage Road West, and R817 Fortfield Road. The Proposed Scheme will continue along R817 Kimmage Road Lower towards the City Centre, via the R137 on Harold's Cross Road, Clanbrassil Street Upper and Lower and New Street South. Priority for buses will be provided along the entire route, consisting primarily of dedicated bus lanes in both directions where feasible, with alternative measures proposed at particularly constrained locations such as much of R817 Kimmage Road Lower, Harold's Cross Park West and short sections of R137 Clanbrassil Street Upper and Lower in alternate directions. A complementary cycle route is also proposed to the west of the Proposed Scheme via quiet streets at the southern end of the Proposed Scheme.

The Proposed Scheme, which will provide segregated cycling facilities, bus priority infrastructure and improvement pedestrian facilities, is within the South Dublin County Council (SDCC) and Dublin City Council (DCC) administrative areas.

Scott Cawley Limited were instructed to prepare an Appropriate Assessment Screening Report for the Proposed Scheme to consider, analyse and assess whether in view of best scientific knowledge and objective information and the conservation objectives of the European site(s) (which are discussed further below), if the Proposed Scheme individually or in combination with other plans or projects is likely to have a significant effect on European Site(s).

The NTA has received and read the Appropriate Assessment Screening Report and has considered its content and its conclusions and recommendation set out therein. Having done this, the NTA agrees with the conclusions and recommendations as set out in the Appropriate Assessment Screening Report.

AA Screening Determination

The NTA has determined that an Appropriate Assessment of the Proposed Scheme is required as it cannot exclude, in view of best scientific knowledge and on the basis of objective scientific information, following the screening that the NTA has carried out, that the Proposed Scheme, either individually or in combination with other plans or projects, in the absence of mitigation, will have a significant effect on the following 16 European Site(s) (four Special Areas of Conservation (SACs) and 12 Special Protection Areas (SPAs) in view of the conservation objectives of those site(s):-

1. North Dublin Bay SAC,
2. South Dublin Bay SAC,

3. **Rockabill to Dalkey Island SAC,**
4. **Lambay Island SAC,**
5. **North Bull Island SPA,**
6. **South Dublin Bay and River Tolka Estuary SPA,**
7. **Howth Head Coast SPA,**
8. **Dalkey Islands SPA,**
9. **Malahide Estuary SPA,**
10. **Baldoyle Bay SPA,**
11. **Rogerstown Estuary SPA,**
12. **Skerries Islands SPA,**
13. **Ireland's Eye SPA,**
14. **Lambay Island SPA,**
15. **Rockabill SPA, and**
16. **The Murrrough SPA.**

The NTA has made this determination on the basis of having considered the baseline ecological environment; the extent and characteristics of the Proposed Scheme and having identified the following potential impacts which could result in likely significant effects (LSE) to European Sites:

- Habitat degradation / effects on Qualifying Interests (QI) / Special Conservation Interest (SCI) species as a result of hydrological impacts;
- Habitat degradation as a result of introducing / spreading non-native invasive species; and
- Disturbance and displacement impacts.

Further detail is provided below on each of the potential impacts identified.

Habitat Degradation / Effects on QI / SCI Species as a Result of Hydrological Impacts

The Proposed Scheme is hydrologically connected to Dublin Bay via the River Poddle and the Grand Canal and existing surface water drainage pipes which drain to Ringsend Wastewater Treatment Plant, and subsequently to Dublin Bay. The potential release of contaminated surface water runoff and / or an accidental spillage or pollution event into any surface water features during Construction, or Operation, has the potential to affect water quality in the receiving aquatic environment. In the absence of mitigation, the associated effects of a reduction of surface water quality could potentially extend for a considerable distance downstream of the discharge point or location of the accidental pollution event. Such an occurrence, of a sufficient magnitude, either alone or in combination with other pressures on water quality, could undermine the conservation objectives of the European sites downstream in Dublin Bay (i.e. North Dublin Bay SAC, South Dublin Bay SAC, Rockabill to Dalkey Island SAC, North Bull Island SPA, South Dublin Bay and River Tolka Estuary SPA and Dalkey Islands SPA). This reduction in water quality (either alone or in combination with other pressures on water quality) could result in the degradation of sensitive habitats present within these European sites, which in turn would negatively affect the SCI bird species that rely upon these habitats as foraging and / or roosting habitat. It could also negatively affect the quantity and quality of prey available to SCI bird species. These potential impacts could occur to such a

degree that the conservation objectives of the North Dublin Bay SAC, South Dublin Bay SAC, Rockabill to Dalkey Island SAC, North Bull Island SPA, South Dublin Bay and River Tolka Estuary SPA and Dalkey Islands SPA may be undermined.

In a worst-case scenario, in the absence of mitigation measures, the release of contaminated surface water runoff and / or an accidental spillage or pollution event into any surface water features during construction, or operation, also has the potential to affect mobile SCI bird species and QI mammal species that commute, forage and loaf in Dublin Bay (i.e. birds associated with Skerries Islands SPA, Rockabill SPA, Lambay Island SPA, Ireland's Eye SPA, North Bull Island SPA, South Dublin Bay and River Tolka Estuary SPA, Howth Head Coast SPA, Baldoyle Bay SPA, Malahide Estuary SPA, Rogerstown SPA, Dalkey Islands SPA, Murrough SPA and, marine mammals associated with Rockabill to Dalkey Island SAC and Lambay Island SAC). This reduction in water quality (either alone or in combination with other pressures on water quality) could result in the degradation of sensitive habitats present within downstream European sites, which in turn could negatively affect the SCI bird species that rely upon these habitats as foraging and / or roosting habitat. It could also negatively affect the quantity and quality of prey available to SCI and QI populations.

As the Proposed Scheme has the potential to result in habitat degradation and effects on the QI / SCI species of European sites as the result of hydrological impacts, there is the potential for in-combination effects to occur.

Habitat Degradation as a Result of Introducing / Spreading Non-Native Invasive Species

No non-native invasive plant species listed on the Third Schedule of the 2011 Birds and Habitats Regulations were recorded within, or in close proximity to, the Proposed Scheme. However, there were records of invasive species in the vicinity of the Proposed Scheme returned from the desk study. Therefore, there is potential for invasive species to spread or be introduced, during construction and / or routine maintenance / management works, to terrestrial habitat areas in European sites downstream in Dublin Bay. (i.e. North Dublin Bay SAC, South Dublin Bay SAC, North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA). These in turn may result in the degradation of the existing habitats and therefore undermine the conservation objectives of these European sites.

As the Proposed Scheme has the potential to result in habitat degradation and effects on the QI / SCI species of European sites as a result of introducing / spreading non-native invasive species, there is the potential for in combination effects to occur.

Disturbance and Displacement Impacts

A temporary and / or permanent increase in noise, vibration and / or human activity levels during the Construction and / or Operational Phase of the Proposed Scheme could result in the disturbance to and / or displacement of fauna species present within the vicinity of the Proposed Scheme. For mammal species such as otter, disturbance effects would not be expected to extend beyond 250m¹. For birds, disturbance effects would not be expected to extend beyond a distance of approximately 300m², as noise levels

¹ This is consistent with Transport Infrastructure Ireland (TII) guidance (Guidelines for the Treatment of Otters prior to the Construction of National Road Schemes and Guidelines for the Treatment of Badgers prior to the Construction of National Road Schemes) documents. This is a precautionary distance, and likely to be moderated by the screening effect provided by surrounding vegetation and buildings, with the actual Zol of construction related disturbance likely to be much less in reality.

² Current understanding of construction related noise disturbance to wintering waterbirds is based on the research presented in Cutts et al. (2009) and Wright et al. (2010). In terms of construction noise, levels below 50dB would not be expected to result in any response from foraging or roosting birds. Noise levels between 50dB and 70dB would provoke a moderate effect/level of response from birds, i.e. birds becoming alert and some behavioural changes (e.g. reduced feeding activity), but birds would be expected to habituate to noise levels within this range. Noise levels above 70dB would likely result in birds moving out of the

associated with general construction activities would attenuate to close to background levels at that distance. There are no European sites within the disturbance ZoI of the Proposed Scheme.

There are a number of SPAs located in relatively close proximity to the Proposed Scheme which are designated for SCI species that are known to forage and / or roost at inland sites, such as amenity grassland playing pitches (i.e. Malahide Estuary SPA, Baldoyle Bay SPA, North Bull Island SPA, South Dublin Bay and River Tolka SPA, Rogerstown Estuary SPA, Skerries Islands SPA, Ireland's Eye SPA, Lambay Island SPA and The Murrrough SPA). Four of these species were returned from the desk study and include light-bellied Brent goose, herring gull, black-headed gull and lesser black-backed gull. One confirmed inland foraging / roosting site, and other suitable sites which these bird species may utilise, are located within the potential ZoI of the Proposed Scheme (See Section 3.2.3).

Therefore, the Proposed Scheme has the potential to result in the disturbance / displacement impacts to the mobile SCI species of European sites, that are known to forage and / or roost at inland sites across the Greater Dublin Area.

Summary

The habitat degradation (hydrological and invasive species), and disturbance and displacement of species impacts associated with the Proposed Scheme have the potential to affect the receiving environment and, consequently, have the potential to affect the conservation objectives supporting the QI / SCI of a European site(s). Therefore, the potential for the Proposed Scheme to have LSE on a European site(s) cannot be excluded.

In Combination Effects

There is the potential for developments planned or granted, or those implemented under a range of land use and other plans, to lie either within European sites, or be situated in a location where they may be within the ZoI of the European sites which also fall within the ZoI of the Proposed Scheme.

Key development projects with potential for in combination effects due to their size, nature and / or location include other Core Bus Corridor Schemes, MetroLink, upgrades to or new rail infrastructure, utility infrastructure including proposed or consented water utility improvement.

The potential for in combination effects between these plans and projects and the Proposed Scheme arises via the LSE as identified for the Proposed Scheme (i.e. habitat degradation (hydrological and invasive species), and disturbance and displacement effects) acting in combination with similar effects.

Therefore, the potential for the following in combination effects arising from plans cannot be ruled out:

- Habitat degradation / effects on QI / SCI species as a result of hydrological impacts (for example reduction in water quality in catchments draining to Dublin Bay affecting the conservation objectives supporting aquatic habitats and species in North Dublin Bay SAC, South Dublin Bay SAC, Rockabill to Dalkey Island SAC, Lambay Island SAC, South Dublin Bay and River Tolka Estuary SPA, North Bull Island SPA, Howth Head Coast SPA, Dalkey Islands SPA, Baldoyle Bay SPA, Malahide Estuary SPA, Rogerstown Estuary SPA, Ireland's Eye SPA, Skerries Islands SPA, Rockabill SPA, Lambay Island SPA and The Murrrough SPA);

affected zone or leaving the site altogether. At c. 300m, typical noise levels associated with construction activity (BS 5228) are generally below 60dB or, in most cases, are approaching the 50dB threshold.

- Habitat degradation as a result of introducing / spreading non-native invasive species; North Dublin Bay SAC, South Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA; and
- Disturbance and displacement impacts (for example ex situ inland feeding sites which are utilised by SCI wintering bird species within the potential disturbance ZoI of the Proposed Scheme for South Dublin Bay and River Tolka SPA, North Bull Island SPA, Malahide Estuary SPA, Baldoyle Bay SPA, Rogerstown Estuary SPA, Skerries Islands SPA, Ireland's Eye SPA, Lambay Island SPA and The Murrrough SPA.

Conclusions of Screening Assessment Process

Following an examination, analysis and evaluation of all the relevant information, in view of best scientific knowledge, and applying the precautionary principle, it can be concluded that there is the possibility for significant effects on the following European sites, in the absence of mitigation, either arising from the project alone, or in combination with other plans and projects, as a result of hydrological impacts, invasive species and disturbance and displacement impacts: North Dublin Bay SAC, South Dublin Bay SAC, Rockabill to Dalkey Island SAC, Lambay Island SAC, North Bull Island SPA, South Dublin Bay and River Tolka Estuary SPA, Howth Head Coast SPA, Dalkey Islands SPA, Malahide Estuary SPA, Baldoyle Bay SPA, Rogerstown Estuary SPA, Skerries Islands SPA, Ireland's Eye SPA, Lambay Island SPA, Rockabill SPA and The Murrrough SPA.

In reaching this conclusion, the nature of the Proposed Scheme and its potential relationship with all European sites within the ZoI, and their conservation objectives, have been fully considered.

The NTA has requested that a Natura Impact Statement be prepared and finalised for submission to An Bord Pleanála with an application for approval for the Proposed Scheme.

This determination is available for inspection at the National Transport Authority Offices, Dún Scéine, Harcourt Lane, Dublin 2, D02 WT20 and on its website at www.busconnects.ie.

Signed: 

For and on behalf of the BusConnects Programme Board of the NTA

Dated:- [27th September 2022]