National Transport Authority

Swords to City Centre Core Bus Corridor Scheme

Appropriate Assessment Screening Determination

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

The Proposed Scheme has an overall length of approximately 12km and commences south of Swords at Pinnock Hill Junction and travels in a southerly direction along the R132 Swords Road past Airside Retail Park, Dublin Airport and Santry Park. The route continues on the R132 past Santry Demesne, where the Swords Road joins the R104 at Coolock Lane. The route continues on the R132 in a southerly direction through Santry village. It continues along the Swords Road past Whitehall to Griffith Avenue. The route follows Drumcondra Road Upper past the DCU St Patrick's Campus to the river Tolka. It continues through Drumcondra, on Drumcondra Road Lower to Binns Bridge on the Royal Canal. From there it continues on Dorset Street Lower as far as Eccles Street, from where it continues on Dorset Street Upper to North Frederick Street.

The Proposed Scheme, which will provide segregated cycling facilities, bus priority infrastructure and improvement pedestrian facilities, is within the Fingal County Council (FCC) 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. **Howth Head SAC**
4. **Howth Head Coast SPA**

5. **Rockabill to Dalkey Island SAC**
6. **North Bull Island SPA**
7. **South Dublin Bay and River Tolka Estuary SPA**
8. **Dalkey Islands SPA**
9. **Malahide Estuary SAC**
10. **Malahide Estuary SPA**
11. **Baldoyle Bay SAC**
12. **Baldoyle Bay SPA**
13. **Rogerstown Estuary SPA**
14. **Skerries Islands SPA**
15. **Ireland's Eye SAC**
16. **Ireland's Eye SPA**
17. **Lambay Island SAC**
18. **Lambay Island SPA**
19. **Rockabill SPA and**
20. **The Murrough 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

1 The Proposed Scheme is hydrologically connected to Dublin Bay via Malahide Estuary, Baldoyle Bay and Dublin Bay via eight watercourses, as well as Ringsend WwTP, before ultimately draining 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. Such a pollution event may include: the release of sediment into receiving waters and the subsequent increase in mobilised suspended solids; and, the accidental spillage and / or leaks of contaminants into receiving waters. It should be noted that a highly substantial event or events would be required to generate such quantities, which is considered unlikely.

2 The associated effects of a reduction of surface water quality could potentially extend for a considerable distance downstream of the location of the accidental pollution event or the discharge point and therefore impact the downstream environment, i.e., in Dublin Bay, Irish Sea Dublin and North western Irish sea and,

including the following European sites: North Dublin Bay SAC, South Dublin Bay SAC, Baldoyle bay SAC, Malahide Estuary SAC, Lambay Island SAC, Skerries Island SAC, Howth Head Coast SPA, Rockabill to Dalkey Island SAC, North Bull Island SPA, South Dublin Bay and River Tolka Estuary SPA and Dalkey Islands SPA, Baldolye Bay SPA, Malahide Estuary SPA, Rogerstown Estuary 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 impacts could potentially occur to such a degree that the conservation objectives of the North Dublin Bay SAC, South Dublin Bay SAC, Howth Head SAC, Howth Head Coast SPA, Rockabill to Dalkey Island SAC, North Bull Island SPA, South Dublin Bay and River Tolka Estuary SPA and Dalkey Islands SPA and further afield may be undermined.

3 Such a potential pollution event may include: the release of sediment into receiving waters and the subsequent increase in mobilised suspended solids; and the accidental spillage and / or leaks of contaminants into receiving waters. For example, oil (which is to be drained from ESB cables) disperses in a very thin layer across water and a small amount can cover a large area. Should an oil spill occur, an assumed oil slick depth of approximately 5mm has been used to determine the likelihood of it reaching the estuary. In order for a 5mm slick to cover the river all the way to the estuary, which is 600m downstream of the bridge works, a minimum of 40 litres of oil would need to be spilled into the river.

4 The associated effects of a reduction of surface water quality could potentially extend for a considerable distance downstream of the location of the accidental pollution event or the discharge point and therefore impact downstream waterbodies, i.e., Dublin Bay, within which European sites are located: North Dublin Bay SAC, South Dublin Bay SAC, Howth Head 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. 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 North Dublin Bay SAC, South Dublin Bay SAC, Howth Head SAC, Rockabill to Dalkey Island SAC, North Bull Island SPA, South Dublin Bay and River Tolka Estuary SPA and Dalkey Islands SPA are undermined.

5 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 the Construction or Operational Phase 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 Dublin Bay SPA, South Dublin Bay and River Tolka Estuary SPA, Malahide Estuary SPA, Baldoyle Bay SPA, Rogerstown Estuary SPA, Dalkey Islands SPA, The Murrough SPA and, marine mammals associated with Rockabill to Dalkey Island SAC and Lambay Island SAC. This potential 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 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 and QI populations.

6 As the Proposed Scheme has the potential to result in habitat degradation and effects on of the Qualifying / Special Conservation Interest 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

7 There were twelve areas of non-native invasive plant species listed on the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations, 2011 identified along or adjacent to the Proposed Scheme. The desktop study returned records of sixteen species listed on the Third Schedule of the Birds and Natural Habitats) Regulations, in the vicinity of the Proposed Scheme. 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 via watercourses (i.e. North Dublin Bay SAC, South Dublin Bay SAC, North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA). The Proposed Scheme is also hydrologically connected to Malahide Estuary and Baldoyle Bay via several watercourses, and within close proximity of these sites. The introduction and / or spread of these invasive species to downstream European sites could potentially result in the degradation of existing habitats present, in particular coastal habitats not permanently or regularly inundated by seawater. These species may outcompete other native species present, negatively impacting the species composition, diversity and abundance and the physical structural integrity of the habitat. This in turn could undermine the conservation objectives of these European sites.

8 It is not considered likely that invasive species could spread to European sites which are located a significant distance from the outfall locations and or separated by a large marine waterbody (i.e. Howth Head SAC, Howth Head Coast SPA, Rockabill to Dalkey Island SAC, Ireland's Eye SAC, Ireland's Eye SPA, Lambay Island SAC, Lambay Island SPA, Rockabill SPA, Rogerstown SPA, The Murrough SPA, Skerries Islands SPA and Dalkey Islands SPA). As the Proposed Scheme has the potential to result in habitat degradation of the Qualifying / Special Conservation Interest species of European sites as the result of the spread of invasive species, there is the potential for in combination effects to occur in association with the following activities / plans / projects.

Disturbance and Displacement Impacts

9 A temporary and / or permanent increase in noise, vibration and / or human activity levels during the Construction 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 150m[1]. For wintering birds, disturbance effects would not be expected to extend beyond a distance of approximately 300m[2], as noise levels 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.

10 Although no signs of otter were initially recorded during field surveys of the Proposed Scheme, later evidence noted otter activity on the upstream and downstream side of the Frank Flood Bridge along the Tolka River. Furthermore, the Royal Canal, River Liffey, Tolka River, Mayne River and the Ward River are known to support otter, an Annex II and IV mammal species. The nearest SAC to the proposed development site for which otter has been designated is Wicklow Mountains SAC; located approximately 12.8km south. Research carried out by Ó Néill et al. (2008) on ranging behaviours of otter on river systems in Ireland found that female otter ranges averaged 7.5km while male otter home ranges varied between 21km. While the Proposed Scheme is within the potential home range of male otter, the Proposed Scheme

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

is located in a different sub-catchment to the Wicklow Mountains SAC, therefore it is not considered likely that the otter present in the vicinity of the Proposed Scheme are associated with the QI populations of any European site. Although marine mammals associated with European sites may commute and forage within the Liffey Estuary, and the coastal zone running northwards it is considered unlikely that there will be any impacts on these species as a result of the Proposed Scheme whose southern boundary (city Centre) is upstream of Dublin Bay, in a highly urbanised environment. Elsewhere the Proposed Scheme does not intersect any coastal waters. This is because of the terrestrial nature of the Proposed Scheme along urbanised transport corridor. In addition to this, the scale of works proposed in the vicinity of the Liffey Estuary and downstream area in the wider Dublin Bay which are considered to be minor.

11 Populations of kingfisher are known to be present in the vicinity of the Proposed Scheme, along the Tolka River and the River Santry. Any kingfisher populations which are present in the vicinity of the Proposed Scheme are not considered to be associated with the SCI populations of any European site. Kingfisher territories can extend over approximately 3-5km of a river catchment[3]. The nearest SPA for which kingfisher has been designated is the River Boyne and Blackwater SPA which is located in a separate catchment approximately 30km away, therefore kingfisher present in the vicinity of the Proposed Scheme are not associated with an SPA population.

12 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 and Lambay Island SPA). These species include light-bellied Brent goose, curlew, oystercatcher, black-tailed godwit, blacked-headed gull, herring gull and lesser black-backed gull. Suitable inland foraging / roosting sites, which these bird species utilise, are located within the potential ZoI of the Proposed Scheme (See Section 3.2.3). Although the Proposed Scheme will not result in the loss of any ex-situ forging site, the Proposed Scheme runs alongside the Whitehall on the Santry road is immediately adjacent to the Proposed Scheme while Drumcondra /Holy Cross College, All Hallows DCU Campus, and Drumcondra St Patricks College are respectively 30, 160 and 190m from the Proposed Scheme. Although these sites will not be directly impacts and are located adjacent to urban areas alongside long established transport corridors or are of relatively high human presence, there is nonetheless potential from construction related activities of significant magnitude. In respect of the Proposed Scheme Construction and Operational Phases, the works associated with the Frank Flood Bridge, although separated by the bridge itself and buildings are within the ZOI of Drumcondra /Holy Cross College ex-situ wintering bird site.

13 In summary therefore, there is potential for the Proposed Scheme to result in the disturbance / displacement of SCI bird species associated with SPA populations.

Summary

14 The hydrological, invasive species, and disturbance and displacement 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 Qualifying Interest / Special Conservation Interests of European site(s). Therefore, the potential for the Proposed Scheme to have significant effects on a European site(s) cannot be excluded.

15 The potential impacts of the Proposed Scheme on the receiving environment, their ZoI, and the European sites for which likely significant effects cannot be excluded are summarised in Table 7. In assessing the potential for the Proposed Scheme to result in a significant effect on any European sites, any measures intended to avoid or reduce the harmful effects of the project on European sites are not taken into account.

[3] RSPB. *Kingfisher breeding, feeding and territory webpage.* Available from: https://www.rspb.org.uk/birds-and-wildlife/wildlife-guides/bird-a-z/kingfisher/breeding-feeding-territory/

In Combination Effects

There is potential for developments planned or granted, or those implemented under a range of land use and other plans listed in Table 8 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 same pathways for potential effects as identified above in Table 7 for the Proposed Scheme (i.e. hydrological, invasive species, and disturbance and displacement effects) which could act in combination with similar effects and pathways arising from the various plans.

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, Howth Head SAC, Howth Head Coast SPA, Rockabill to Dalkey Island SAC, Lambay Island SAC, North Bull Island SPA, South Dublin Bay and River Tolka Estuary SPA, Dalkey Islands SPA, Baldoyle Bay SPA, Ireland's Eye SPA, Skerries Islands SPA, Rockabill SPA, Lambay Island SPA, Malahide Estuary SPA, Rogerstown Estuary SPA, Dalkey Islands SPA and The Murrough SPA);
- Habitat degradation as a result of introducing / spreading non-native invasive species; 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 Malahide Estuary SPA, Baldoyle Bay SPA, Rogerstown Estuary SPA, Skerries Islands SPA, Ireland's Eye SPA, Lambay Island SPA, North Bull Island SPA, South Dublin Bay and River Tolka SPA and The Murrough SPA.

Conclusions of Screening Assessment Process

16 Following an examination, analysis and evaluation of all relevant information and 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, hydrogeological impacts, invasive species and disturbance and displacement impacts: North Dublin Bay SAC, South Dublin Bay SAC, Howth Head SAC, Howth Head Coast SPA, Rockabill to Dalkey Island SAC, North Bull Island SPA, South Dublin Bay and River Tolka Estuary SPA and Dalkey Islands SPA, Malahide Estuary SAC, Malahide Estuary SPA, Baldoyle Bay SAC, Baldoyle Bay SPA, Rogerstown Estuary SPA, Skerries Islands SPA, Ireland's Eye SAC, Ireland's Eye SPA, Lambay Island SAC, Lambay Island SPA, Rockabill SPA and The Murrough.

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 Scott Cawley Ltd. prepare and finalise a Natura Impact Statement which will be submitted 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:- [1st November 2022]