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HABITATS DIRECTIVE SCREENING OF PROPOSED WORKS AT THE DUNDALK COUNTY LIBRARY, RODEN PLACE, TOWNPARKS, DUNDALK, CO. LOUTH



Louth County Council
Millennium Centre
County Hall
Dundalk
Co. Louth
A91 KFW6

March 2022

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1 INTRODUCTION

1.1 BACKGROUND

A comprehensive assessment of the potential effects of proposed Part 8 works at Dundalk County Library in Dundalk, Co. Louth on certain designated European sites was carried out in March 2022 by Noreen McLoughlin, MSc, MCIEEM of Whitehill Environmental. This assessment allowed areas of potential ecological value and potential ecological constraints associated with this proposed development to be identified and it also enabled potential ecological impacts associated with the proposed development on designated sites to be assessed.

The location of the proposed development is within the Zone of Influence of sites designated under European Law. As such and in accordance with Article 6(3) of the EU Habitat's Directive (Council Directive 92/43/EEC) regarding Appropriate Assessment, this screening exercise for Appropriate Assessment was carried out in order to identify whether any significant impacts on designated sites are likely.

This report contains information required by the competent authority (in this instance Louth County Council) to undertake an Appropriate Assessment determination. It is the responsibility of the competent authority to make a decision as to whether or not the proposed development is likely to have significant effects on European Sites, either individually or in combination with other plans or projects. In accordance with the Legislation and National Guidance, the competent authority should issue an AA Screening Determination, which should set out their decision regarding AA, including the main reasons and considerations on which the determination is based.

1.2 REGULATORY CONTEXT

RELEVANT LEGISLATION

The Birds Directive (Council Directive 2009/147/EC) recognises that certain species of birds should be subject to special conservation measures concerning their habitats. The Directive requires that Member States take measures to classify the most suitable areas as Special Protection Areas (SPAs) for the conservation of bird species listed in Annex 1 of the Directive. SPAs are selected for bird species (listed in Annex I of the Birds Directive), that are regularly occurring populations of migratory bird species and the SPA areas are of international importance for these migratory birds.

The EU Habitats Directive (92/43/EEC) requires that Member States designate and ensure that particular protection is given to sites (Special Areas of Conservation) which are made up of or support particular habitats and species listed in annexes to this Directive.

Articles 6(3) and 6(4) of this Directive also call for the undertaking of an Appropriate Assessment for plans and projects not directly connected with or necessary to the management of, but which are likely to have a significant effect on any European designated sites (i.e. SACs and SPAs).

The Water Framework Directive (WFD) (2000/60/EC), which came into force in December 2000, establishes a framework for community action in the field of water policy. The WFD was transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (S.I. 722 of 2003). The WFD rationalises and updates existing legislation and provides for water management on the basis of River Basin Districts (RBDs). RBDs are essentially administrative areas for coordinated water management and are comprised of multiple river basins (or catchments), with cross-border basins (i.e. those covering the territory of more than one Member State) assigned to an international RBD. The aim of the WFD is to ensure that waters achieve at least good status by 2021 and that status does not deteriorate in any waters.

Appropriate Assessment and the Habitats Directive

Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora – the 'Habitats Directive' - provides legal protection for habitats and species of European importance. Article 2 of the Directive requires the maintenance or restoration of habitats and species of European Community interest, at a favourable conservation status. Articles 3 - 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of sites known as *Natura 2000*. Natura 2000 sites are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/EEC).

Articles 6(3) and 6(4) of the Habitats Directive sets out the decision-making tests for plans or projects affecting Natura 2000 sites. Article 6(3) establishes the requirement for Appropriate Assessment:

"Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of

the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.”

Article 6(4) deals with the steps that should be taken when it is determined, as a result of appropriate assessment, that a plan/project will adversely affect a European site. Issues dealing with alternative solutions, imperative reasons of overriding public interest and compensatory measures need to be addressed in this case.

Article 6(4) states:

“If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member States shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.”

The Appropriate Assessment Process

The aim of Appropriate Assessment is to assess the implications of a proposal in respect of a designated site’s conservation objectives.

The ‘Appropriate Assessment’ itself is an assessment which must be carried out by the competent authority which confirms whether the plan or project in combination with other plans and projects will have an adverse impact on the integrity of a European site.

Screening for Appropriate Assessment shall be carried out by the competent authority as set out in Section 177U(1) and (2) of the Planning and Development Act 2000 (as amended) as follows:

“(1) A screening for appropriate assessment of a draft Land use plan or application for consent for proposed development shall be carried out by the competent authority to assess, in view of best scientific knowledge, if that Land use plan or proposed development, individually or in

combination with another plan or project is likely to have a significant effect on the European site.

(2) A competent authority shall carry out a screening for appropriate assessment under subsection (1) before—

(a) a Land use plan is made including, where appropriate, before a decision on appeal in relation to a draft strategic development zone is made, or

(b) consent for a proposed development is given.'

The competent authority shall determine that an Appropriate Assessment is not required if it can be excluded, that the proposed development, individually or in combination with other plans or project will have a significant effect on a European site.

Where the competent authority cannot exclude the potential for a significant effect on a European site, an Appropriate Assessment shall be deemed required.

Where an Appropriate Assessment is required, the conclusions of the Appropriate Assessment Report (Natura Impact Statement (NIS)) should enable the competent authority to ascertain whether the plan or proposed development would adversely affect the integrity of the European site. If adverse impacts on the integrity of a European site cannot be avoided, then mitigation measures should be applied during the appropriate assessment process to the point where no adverse impacts on the site remain. Under the terms of the Habitats Directive consent can only be granted for a project if, as a result of the appropriate assessment either (a) it is concluded that the integrity of any European sites will not be adversely affected, or (b) after mitigation, where adverse impacts cannot be excluded, there is shown to be an absence of alternative solutions, and there exists imperative reasons of overriding public interest for the project should go ahead.

Section 177(V) of the Planning and Development Act 2000 (as amended) outlines that the competent authority shall carry out the Appropriate Assessment, taking into account the Natura Impact Statement (amongst any other additional or supplemental information). A determination shall then be made by the competent authority in line with the requirements of Article 6(3) of the Habitats Directive as to whether the plan or proposed development would adversely affect the integrity of a European site, prior to consent being given.

2 METHODOLOGY

2.1 APPROPRIATE ASSESSMENT

This Statement of Screening for Appropriate Assessment (Stage 1) has been prepared with reference to the following:

- European Commission (2018). Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.
- European Commission (2002). Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.
- European Commission (2006). Nature and Biodiversity Cases: Ruling of the European Court of Justice.
- European Commission (2007). Clarification of the Concepts of: Alternative Solution, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence, Opinion of the Commission.
- Department of Environment, Heritage and Local Government (2009). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities.

The EC Guidance sets out a number of principles as to how to approach decision making during the process. The primary one is 'the precautionary principle' which requires that the conservation objectives of Natura 2000 should prevail where there is uncertainty.

When considering the precautionary principle, the emphasis for assessment should be on objectively demonstrating with supporting evidence that:

- There will be no significant effects on a Natura 2000 site;
- There will be no adverse effects on the integrity of a Natura 2000 site;
- There is an absence of alternatives to the project or plan that is likely to have an adverse effect to the integrity of a Natura 2000 site; and
- There are compensation measures that maintain or enhance the overall coherence of Natura 2000.

This translates into a four stage process to assess the impacts, on a designated site or species, of a policy or proposal.

The EC Guidance states that "each stage determines whether a further stage in the process is required". Consequently, the Council may not need to proceed through all four stages in undertaking the Appropriate Assessment.

The four-stage process is:

Stage 1: Screening – The process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether or not these impacts are likely to be significant;

Stage 2: 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 3: Assessment of Alternative Solutions – The process which examines alternative ways of achieving objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site;

Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain – An assessment of the compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

In complying with the obligations set out in Articles 6(3) and following the guidelines described above, this screening statement has been structured as a stage by stage approach as follows:

- Description of the proposed project;
- Identification of the Natura 2000 sites close to the proposed development;
- Identification and description of any individual and cumulative impacts on the Natura 2000 sites likely to result from the project;
- Assessment of the significance of the impacts identified above on site integrity. Exclusion of sites where it can be objectively concluded that there will be no significant effects;
- Description of proven mitigation measures.

2.2 STATEMENT OF COMPETENCY

This AA Screening report was carried out by Noreen McLoughlin, BA, MSc, MCIEEM. Noreen has an honours degree in Zoology and an MSc in Freshwater Ecology from Trinity College, Dublin and she has been a full member of the Chartered Institute of Ecology and Environmental Management for over fifteen years. Noreen has over 17 years' experience as a professional ecologist in Ireland.

2.3 DESK STUDIES & CONSULTATION

Information on the site and the area of the proposed development was studied prior to the completion of this statement. The following data sources were accessed in order to complete a thorough examination of potential impacts:

- National Parks and Wildlife Service - Aerial photographs and maps of designated sites, information on habitats and species within these sites and information on protected plant or animal species, conservation objectives, site synopses and standard data forms for relevant designated sites.
- Environmental Protection Agency (EPA)- Information pertaining to water quality, geology and licensed facilities within the area.
- Myplan.ie – Mapped based information.
- National Biodiversity Data Centre (NBDC) – Information pertaining to protected plant and animal species within the study area.
- Bing maps & Google Street View – High quality aerials and street images.
- Louth County Council – Plans and Information Pertaining to the development. Information on other planning proposals in the area in order to determine potential cumulative effects.

2.4 ASSESSMENT METHODOLOGY

The proposed development was assessed to identify its potential ecological impacts and from this, the Zone of Influence (Zoi) of the proposed development was defined. Based on the potential impacts and their Zoi, the Natura 2000 sites potentially at risk from direct, indirect or in-combination impacts were identified. The assessment considered all potential impact sources and pathways connecting the proposed development to Natura 2000 sites, in view of the conservation objectives supporting the favourable conservation condition of the site's Qualifying Interests (QIs) or Special Conservation Interests (SCIs).

The conservation objectives relating to each Natura 2000 site and its QIs/SCIs are cited generally for SACs as "to maintain or restore the favourable conservation condition of the

Annex I habitat(s) and/or Annex II species for which the SAC has been selected”, and for SPAs “to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA”.

As defined in the Habitat’s Directive, the favourable conservation status of a habitat is achieved when:

- Its natural range and area it covers within that range is stable or increasing;
- The specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future;

The favourable conservation status of a species is achieved when:

- The population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats;
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future;
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Where site-specific conservation objectives (SSCOs) have been prepared for a European site, these include a series of specific attributes and targets against which effects on conservation condition, or integrity, can be measured. Where potential significant effects are identified, then these SSCO’s should be considered in detail.

3 SCREENING

3.1 DEVELOPMENT DESCRIPTION

Louth County Council wishes to redevelop the courtyard area between Dundalk's County Library and Museum at Roden Place, Townsparks, Dundalk, A91 RC44. The works will include the following:

- Creation of an outdoor learning pod, along with other components to include new security gates & fencing, CCTV, outdoor wi-fi, and monitoring sensors.
- Outdoor urban green learnings and sensory garden for health and well-being, with associated interventions to include new seating areas, new movable and non-movable planters, rainwater harvesting unit, change of outdoor lighting to low energy and the installation of new LED up lighting along with a new learning touch screen.
- The installation of new bike stations, sensors on bike-stations, charging points for e-bikes and e-scooters, enhancement surface works to the area for pedestrian and cycle use e.g., deep cleaning of the existing paving through power washing, new stencil art and works to include the removal of the bollards and chains to the front of library and a new bike maintenance area with an air pump and fresh water drinking fountain.
- All associated site works

The site is located within the confines of two Protected Structures, County Museum RPS D223 and County Library RPS number D266. However, the site is not located within the Dundalk's zone of Archaeological Potential.

Permission for these works will be sought under Part VIII of planning process.

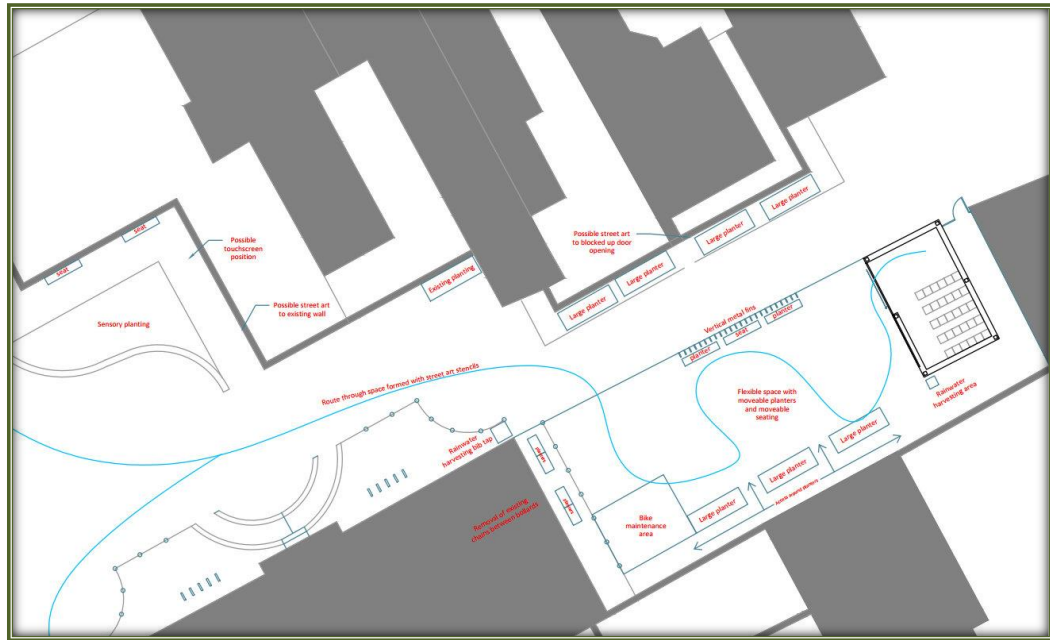


Figure 1 – Proposed Site Plan

3.2 SITE LOCATION AND SURROUNDING ENVIRONMENT

The application site is 0.1ha and it is located in the centre of Dundalk town in the courtyard area between the County Museum and the County Library. The site is accessed via an entrance through an existing car park that is just south off Roden Place. The site is bounded to the north by a car park and existing buildings, to the south by the County Library and residential buildings, to the east by the buildings that front onto Distillery Lane and to the west by the grounds of St Patrick's Parish Church.

The land use surrounding the site is urban and the main habitats associated with these areas include buildings and artificial surfaces, amenity grasslands and gardens and scattered trees and parklands. The location of the site is shown in Figures 2 and 3, whilst an aerial photo of the site and its surrounding habitats is shown in Figure 4.

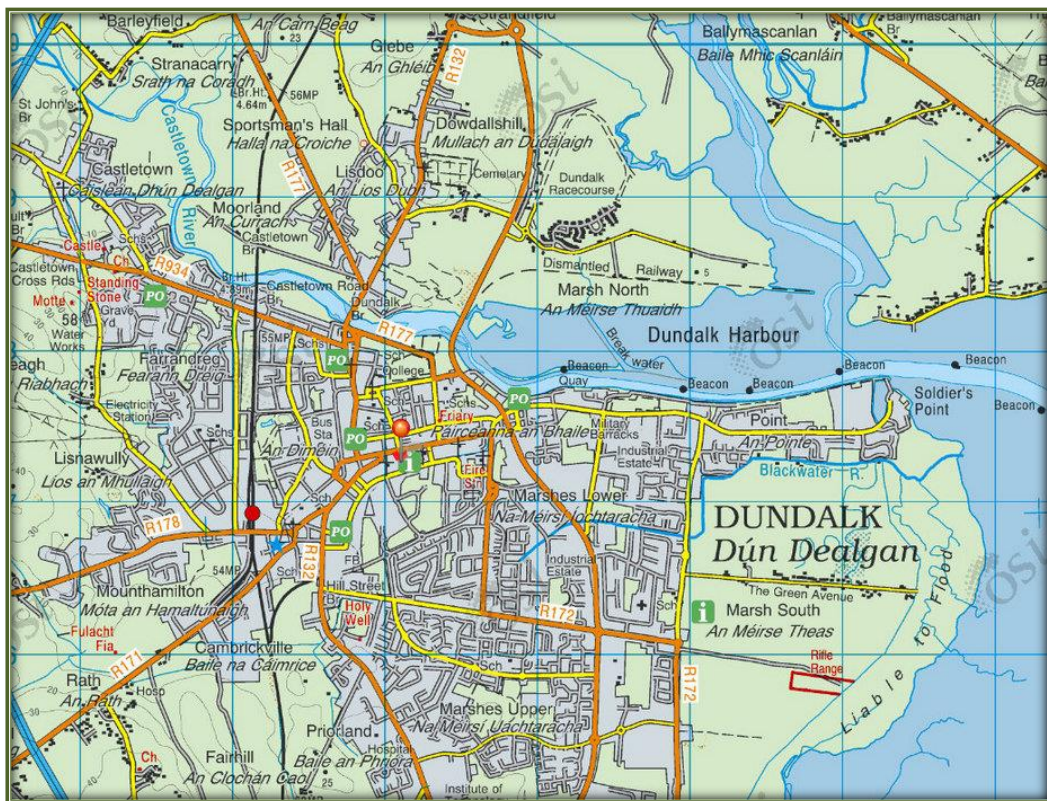


Figure 2 – Site Location Map

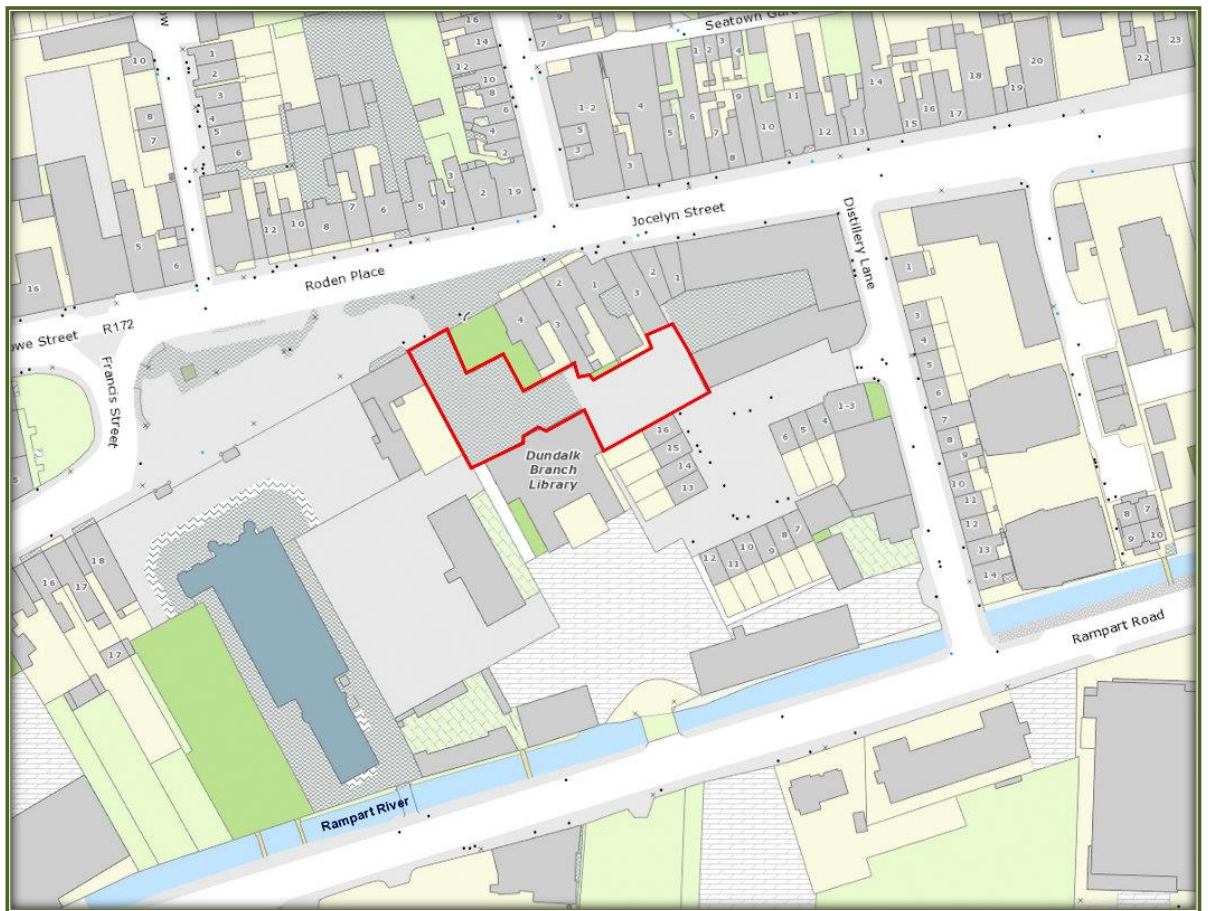


Figure 3 – Site Location Map

HABITATS WITHIN THE APPLICATION SITE

The application site does not lie within or immediately adjacent to any area that has been designated for nature conservation purposes. The site is dominated by an existing built area and the main habitat within it is therefore Buildings and Artificial Surfaces. The northern section of the site is characterised by a number of mature trees which surround the access road into the site.

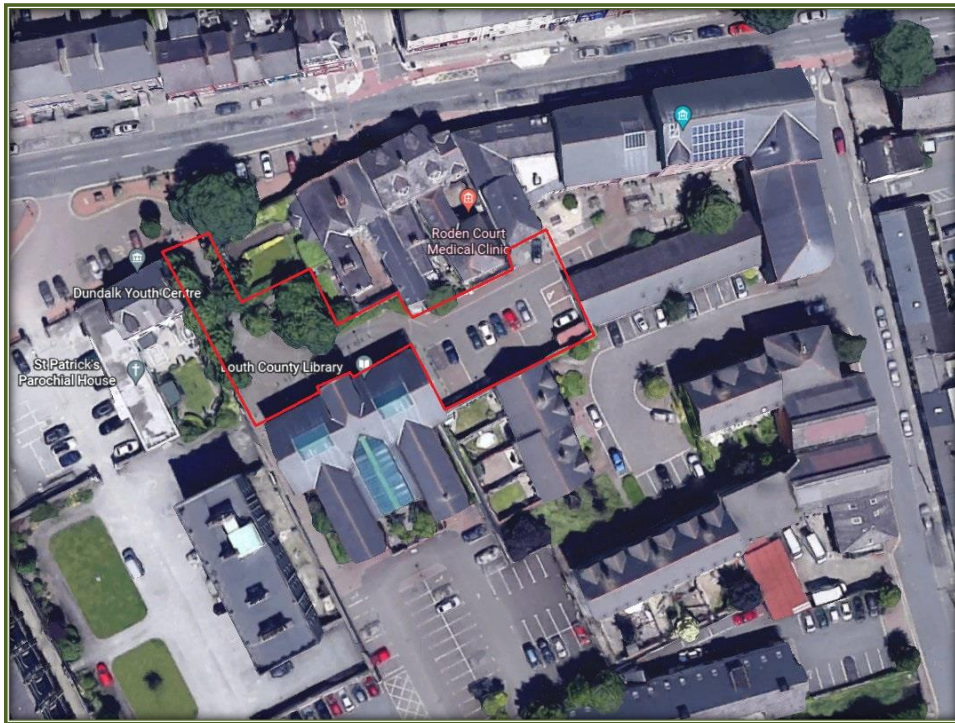


Figure 4 – Aerial Photo of the Site and its Surrounding Habitats © Google

WATER FEATURES AND QUALITY

The application site is located within the Newry, Fane, Glyde and Dee Hydrometric Area (o6) and Catchment (o6), and the Castletown Sub-Catchment (o2o) and Sub-Basin (o3o). There are no drains or streams within or immediately adjacent to the application site. The Ramparts River is 72m south of the site. This river flows east through the urban area of Dundalk town until it enters Dundalk Harbour / the Castletown Estuary at a point approximately 790m north-east of the application site.

The EPA have defined the ecological status of the Ramparts River as moderate, whilst the status of the Castletown Estuary is noted as poor. Under the requirements of the Water Framework Directive, this is unsatisfactory and good status must be achieved in this river by the end of the current WFD cycle.

3.3 NATURA 2000 SITES IDENTIFIED

In accordance with the guidelines issued by the Department of the Environment and Local Government, a list of Natura 2000 sites within 15km of the proposed development have been identified and described according to their site synopsis, qualifying interests and conservation objectives. In addition, any other sites further than this, but potentially within its zone of interest were also considered. The zone of impact may be determined by an assessment of the connectivity between the application site and the designated areas by virtue of hydrological connectivity, atmospheric emissions, flight paths, ecological corridors etc.

For significant effects to arise, there must be a potential impact facilitated by having a source, i.e., the proposed development and activities arising out of its construction or operation, a receptor, i.e., the European site and its qualifying interests and a subsequent pathway or connectivity between the source and receptor, e.g., a water course. The likelihood for significant effects on the European site will largely depend on the characteristics of the source (e.g., nature and scale of the construction works), the characteristics of the existing pathway and the characteristics of the receptor, e.g., the sensitivities of the Qualifying Interests (habitats or species) to changes in water quality.

There are six Natura 2000 sites within 15km of this proposed development. These sites are summarised in Table 1. The location of the proposed works in relation to these designated areas is shown in Figures 5 and 6, and a full synopsis of these sites can be read online on the website of the National Parks and Wildlife Service (www.npws.ie).

Site Name & Code	Distance from Site	Qualifying Interests	Potential Effects
Dundalk Bay SPA 004026	745m north-east	<ul style="list-style-type: none"> • Great Crested Grebe (<i>Podiceps cristatus</i>) • Greylag Goose (answer answer) • Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) • Shelduck (<i>Tadorna tadorna</i>) • Teal (<i>Anas crecca</i>) • Mallard (<i>Anas platyrhynchos</i>) • Pintail (<i>Anas acuta</i>) • Common Scoter (<i>Melanitta nigra</i>) 	<i>There are no watercourses on site and there is no hydrological connectivity between the application site and this SPA. Significant effects upon this site and its QIs are unlikely to arise, however having regards to the proximity of the application site to this SPA, effects will be considered further.</i>

		<ul style="list-style-type: none"> • Red-breasted Merganser (<i>Mergus serrator</i>) • Oystercatcher (<i>Haematopus ostralegus</i>) • Ringed Plover (<i>Charadrius hiaticula</i>) • Golden Plover (<i>Pluvialis apricaria</i>) • Grey Plover (<i>Pluvialis squatarola</i>) • Lapwing (<i>Vanellus vanellus</i>) • Knot (<i>Calidris canutus</i>) • Dunlin (<i>Calidris answer</i>) • Black-tailed Godwit (<i>Limosa limosa</i>) • Bar-tailed Godwit (<i>Limosa lapponica</i>) • Curlew (<i>Numenius arquata</i>) • Redshank (<i>Tringa totanus</i>) • Black-headed Gull (<i>Chroicocephalus ridibundus</i>) • Common Gull (<i>Larus canus</i>) • Herring Gull (<i>Larus argentatus</i>) • Wetland and Waterbirds 	
Dundalk Bay SAC 000455	745m north-east	<ul style="list-style-type: none"> • Estuaries • Mudflats and sandflats not covered by seawater at low tide • Perennial vegetation of stony banks • Salicornia and other annuals colonising mud and sand • Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) 	<p><i>There are no watercourses on site and there is no hydrological connectivity between the application site and this SAC. Significant effects upon this site and its QIs are unlikely to arise, however having regards to the proximity of the application site to this SAC, effects will be considered further.</i></p>

		<ul style="list-style-type: none"> • Mediterranean salt meadows (<i>Juncetalia maritimi</i>) 	
Carlingford Mountain SAC 000453	6.6km north-east	<ul style="list-style-type: none"> • Northern Atlantic wet heaths with <i>Erica tetralix</i> • European dry heath • Alpine and Boreal heaths • Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) • Transition mires and quaking bogs • Alkaline fens • Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>) • Calcareous rocky slopes with chasmophytic vegetation • Siliceous rocky slopes with chasmophytic vegetation 	<i>Potential significant effects upon this site and its QIs are unlikely as there are no direct source – pathway – receptor linkages between the application site and this SAC.</i>
Carlingford Shore SAC 002306	12.8km north-east	<ul style="list-style-type: none"> • Annual vegetation of drift lines • Perennial vegetation of stony banks 	<i>Potential significant effects upon this SAC and its QIs are unlikely as there are no direct source – pathway – receptor linkages between the application site and this SAC.</i>
Stabannan-Braganstown SPA 004091	12.8km south	<ul style="list-style-type: none"> • Greylag Goose (<i>Answer answer</i>) 	<i>Potential significant effects upon this site and its QI are unlikely as there are no direct source – pathway – receptor linkages between the application site and this SPA.</i>

<p>Carlingford Lough SPA</p>	<p>14.7km north-east</p>	<ul style="list-style-type: none"> • Light bellied brent goose <i>Branta bernicla hrota</i> • Wetlands 	<p><i>Potential significant effects upon this site and its QI are unlikely as there are no direct source – pathway – receptor linkages between the application site and this SPA.</i></p>
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Table 1 – Natura 2000 Sites Within 15km of the Proposed Site

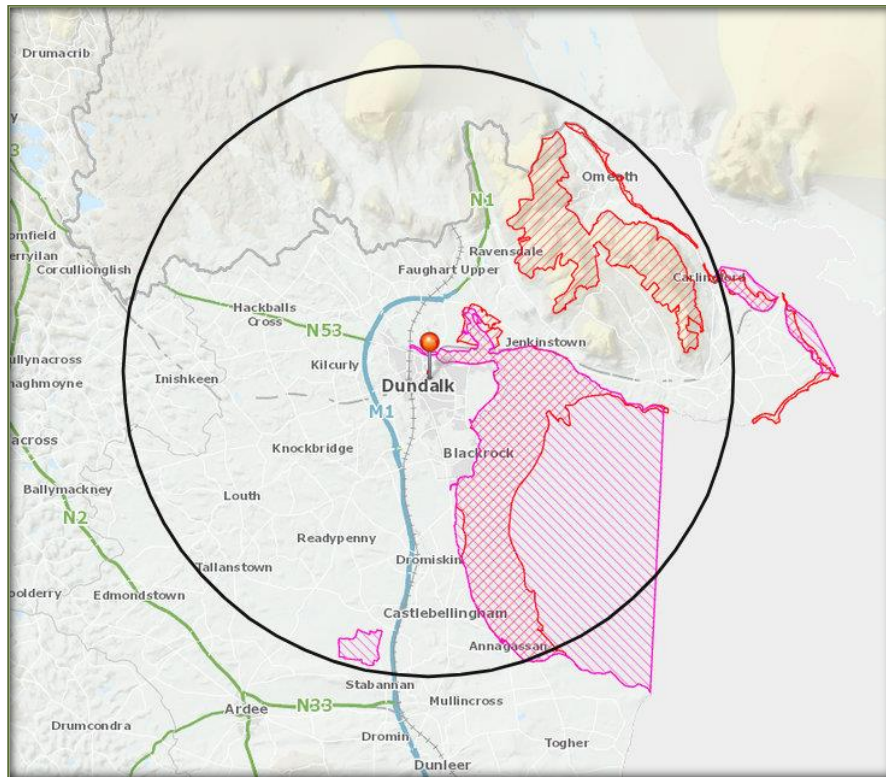


Figure 5 – Location of the Site in Relation to Natura 2000 Sites within 15k (SACs – Red Hatching; SPAs – Pink Hatching).



Figure 6 – Location of the Site in Relation to the River Boyne and Blackwater SAC (Red Hatching) and SPA (Pink Hatching)

DUNDALK BAY SAC 000455

Site Synopsis

Dundalk Bay, Co. Louth, is a very large (5,236.27 hectares) open, shallow sea bay with extensive salt-marshes and intertidal sand/mudflats, extending some 16 km from Castletown River on the Cooley Peninsula in the north, to Annagassan/Salterstown in the south. The bay encompasses the mouths and estuaries of the Rivers Dee, Glyde, Fane, Castletown and Flurry. These rivers drain fairly intensive agricultural catchments and the Castletown River flows through Dundalk town and serves the port. The site has a marked tidal range. The estuaries of the Castletown and Flurry rivers are well sheltered and have extensive salt marshes. Post-glacial raised beaches are a feature of the shoreline. Some agricultural fields which adjoin the bay are included in the site for ornithological interests. Estuaries and particularly intertidal sand and mud flats are well represented at this site. The site contains the largest expanse of intertidal flats on the east coast. The bay is fringed in places by salt marshes, with good examples of *Salicornia* sand flats, Atlantic salt meadows and to a lesser extent, Mediterranean salt meadows. The quality of estuarine habitats is generally good. The site has excellent examples of perennial vegetation of stony banks with the Red Data Book plant *Crambe maritima*.

Site Specific Conservation Objectives

In 2011, the NPWS published Site Specific Conservation Objectives (SSCOs) for this SAC. These conservation objectives were also supported by a number of other documents relating to the marine and coastal habitats of this large SAC. These SSCO's aim to define the favourable conservation condition for the particular habitats or species at that site. They outline certain attributes (e.g., distribution, population structure, water quality) for different species and habitats with targets, which define favourable condition for a habitat or species at a particular site. The maintenance of habitats and species within the Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at national level. For the Dundalk Bay SAC, these SSCO's can be downloaded on the NPWS website. Any potential threats to the attributes and targets as defined in these SSCO's were assessed and where necessary, mitigated for.

For each Qualifying Interest of the SAC, the specific conservation objective is either to maintain or restore the favourable conservation condition of that interest, by defining a list of attributes and targets which are indicative of the conservation status of that interest. For habitats, the main attributes include habitat area; habitat and community distribution;

vegetation structure/composition and physical structure. The main target is to ensure that the habitats are stable or increasing in area and that the other attributes are maintained or restored. For the Annex II species of the SAC, the main attributes are population trend and distribution, whilst the targets aim to ensure that the long term population trends of the species are stable or increasing and that there is no significant decrease in the numbers or range of areas used by the species, other than that occurring from natural patterns of variation.

The NPWS Qualifying Interests and SSCOs of the Dundalk Bay SAC are listed below in Table 2.

Habitat Name	Habitat Code	SSCO	Attributes
Estuaries	1130	To <i>maintain</i> the favourable conservation condition of this habitat in Dundalk Bay SAC	<ul style="list-style-type: none"> • Habitat Area • Community Distribution
Mudflats and sandflats not covered by seawater at low tide	1140	To <i>maintain</i> the favourable conservation condition of this habitat in Dundalk Bay SAC	<ul style="list-style-type: none"> • Habitat Area • Community Distribution
Perennial vegetation of stony banks	1220	To <i>maintain</i> the favourable conservation condition of this habitat in Dundalk Bay SAC	<ul style="list-style-type: none"> • Habitat area • Habitat distribution • Physical structure • Vegetation structure • Vegetation composition
Salicornia and other annuals colonising mud and sand	1310	To <i>restore</i> the favourable conservation condition of this habitat in Dundalk Bay SAC	<ul style="list-style-type: none"> • Habitat area • Habitat distribution • Physical structure • Vegetation structure • Vegetation composition
Atlantic salt meadows (Glauco-Puccinellietalia maritimae)	1330	To <i>maintain</i> the favourable conservation condition of this habitat in Dundalk Bay SAC	<ul style="list-style-type: none"> • Habitat area • Habitat distribution • Physical structure • Vegetation structure • Vegetation composition
Mediterranean salt meadows (Juncetalia maritimi)	1410	To <i>maintain</i> the favourable conservation condition of this habitat in Dundalk Bay SAC	<ul style="list-style-type: none"> • Habitat area • Habitat distribution • Physical structure • Vegetation structure • Vegetation composition

Table 2 – SSCOs of the Dundalk Bay SAC

In the Natura 2000 Standard Data Form for this site, NPWS identified the site’s highest impact threats and pressures. These high threats include discharges, industry and commercial areas, invasive species, the encroachment of urban areas and human habitation, cultivation, grazing and fertilisation.

DUNDALK BAY SPA

Site Synopsis

Dundalk Bay SPA encompasses the same estuarine habitats as Dundalk Bay SAC, however it extends much further seawards than the SAC. It extends approximately 15km from north to south and 4-5km east to west.

Estuaries and particularly intertidal sand and mud flats are very well represented at this site and support the largest concentration of wintering waterfowl on the east coast (regularly in excess of 20,000 wintering waterfowl). The bay has internationally important populations of *Branta bernicla hrota*, *Calidris canutus*, *Limosa limosa* and *Limosa lapponica*. It is the top site in the country for *Calidris canutus*, with over 38% of the national total. A further 13 species have populations of national importance, with particular notable numbers for *Haematopus ostralegus* (12.4% of national total), *Calidris alpina* (8.4% of national total) and *Vanellus vanellus* (7.4% of national total). Dundalk Bay is an important roost site for *Anser anser* and small numbers of *Anser albifrons flavirostris*. Shallow bay waters support divers, grebes and diving duck, with nationally important populations of *Podiceps cristatus* and *Mergus serrator*. This bay is a regular site for passage waders such as *Philomachus pugnax*, *Calidris ferruginea* and *Tringa erythropus*. It is also an important site for wintering gulls, especially *Larus ridibundus* and *Larus canus*. The site provides both feeding and roosting areas for the waterfowl species and habitat quality for most of the estuarine habitats is very good. Wintering bird populations have been well monitored in recent years.

Site Specific Conservation Objectives

The NPWS Conservation Interests of the Dundalk Bay SPA and their Site Conservation Condition in this SPA (NPWS, 2011) are presented below in Table 3.

Species	Site Conservation Condition
Great Crested Grebe (<i>Podiceps cristatus</i>)	Moderately Unfavourable
Greylag Goose (<i>Anser anser</i>)	Favourable
Light-bellied Brent Goose (<i>Branta bernicla hrota</i>)	Favourable
Shelduck (<i>Tadorna tadorna</i>)	Favourable

Teal (<i>Anas crecca</i>)	Favourable
Mallard (<i>Anas platyrhynchos</i>)	Favourable
Pintail (<i>Anas acuta</i>)	Favourable
Common Scoter (<i>Melanitta nigra</i>)	Intermediate (unfavourable)
Red-breasted Merganser (<i>Mergus serrator</i>)	Favourable
Oystercatcher (<i>Haematopus ostralegus</i>)	Favourable
Ringed Plover (<i>Charadrius hiaticula</i>)	Favourable
Golden Plover (<i>Pluvialis apricaria</i>)	Favourable
Grey Plover (<i>Pluvialis squatarola</i>)	Moderately unfavourable
Lapwing (<i>Vanellus vanellus</i>)	Intermediate (unfavourable)
Knot (<i>Calidris canutus</i>)	Intermediate (unfavourable)
Dunlin (<i>Calidris alpina</i>)	Moderately unfavourable
Black-tailed Godwit (<i>Limosa limosa</i>)	Favourable
Bar-tailed Godwit (<i>Limosa lapponica</i>)	Favourable
Curlew (<i>Numenius arquata</i>)	Moderately unfavourable
Redshank (<i>Tringa totanus</i>)	Favourable
Black-headed Gull (<i>Chroicocephalus ridibundus</i>)	Moderately unfavourable
Common Gull (<i>Larus canus</i>)	Favourable
Herring Gull (<i>Larus argentatus</i>)	Moderately unfavourable

Table 3 – Qualifying Interests of Dundalk Bay SPA

The SSCO for all these species is to *maintain* their favourable conservation condition in this SPA and this favourable conservation condition is defined by attributes including their population trends and distribution in the SPA.

In the Natura 2000 Standard Data Form, NPWS (2011) identified the highest impact threats and pressures to this site. The high threats listed here are largely similar to the threats listed for the Dundalk Bay SAC with the addition of the threat of roads and motorways.

3.4 IMPACT ASSESSMENT

The potential significant effects of the proposed application on the Dundalk Bay SAC / SPA are considered below.

Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on nearby Natura 2000 site:

The proposed outdoor space works between the Dundalk County Library and Museum will have *no significant effects* upon Dundalk Bay SAC or SPA. There are no individual elements of the proposed project that are likely to give rise to significant negative impacts on these aforementioned sites, or the habitats or species for which these sites have been designated. There will be no direct, indirect or cumulative impacts upon the Qualifying Interests of these sites. Mitigation measures are not required in this instance to avoid or offset significant effects upon the QIs of Dundalk Bay SAC / SPA.

Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the nearby Natura 2000 sites by virtue of:

Size and scale: Given the small size and scale of the development in relation to the overall size of the Natura 2000 sites identified, then the likelihood of any direct, indirect or cumulative impacts upon these designated sites are low.

Land-take: There will be no land-take from any designated site. There will be no interference with the boundaries of any designated site.

Distance from Natura 2000 site or key features of the site: There are six Natura 2000 sites within 15km of the application site. At its closest point, the proposed is situated 745m south-west of Dundalk Bay SAC and SPA. In this instance, as there is no connectivity, this distance is sufficient to ensure that significant effects will not arise.

Resource requirements (water abstraction etc.): There are no resource requirements that will impact upon any designated site.

Emissions: There are no watercourses within or adjacent to the application site, therefore this will eliminate the potential for run-off from the site to affect the Dundalk Bay SAC / SPA. There will be no emissions to any water course during the construction of the proposed development.

Excavation requirements: Excavated material will be used on site. Any excess will be removed from the site by a registered contractor to a registered site.

Transportation requirements: There will be no additional transportation requirements resulting from the proposed development and associated works that will have any impact upon the Natura 2000 sites identified.

Cumulative Impacts: The proposed application was considered in combination with other developments or proposed developments in the Dundalk area and potential cumulative impacts were considered. Many applications have been permitted in the Dundalk area in the last five years. Where necessary these applications were accompanied by AA reports (Stage I / Stage II). Any future individual application that has the potential to impact upon a Natura 2000 site will be subject to Appropriate Assessment as required under Article 6(3) of the Habitats Directive. The proposed development will have no significant effects upon Dundalk Bay SAC / SPA arising from in-combination effects with other applications.

Duration of construction, operation, decommissioning etc: Construction works will take approximately six months.

Describe any likely changes to the nearby Natura 2000 sites arising as a result of:

Reduction of habitat area: The proposed development lies outside the boundaries of the Natura 2000 sites identified in Section 3.3. There will be no reduction of designated habitat area or any habitat listed as a qualifying feature of the Dundalk Bay SAC. All these habitats are associated with the coastal and marine areas of Dundalk Bay and none of these habitats occur within the application site. There will be no interference with the boundaries of any designated site. There will be no negative impacts upon the attributes of these habitats or the targets required for the maintenance of these habitats at favourable conservation condition. All construction works will take place on a site of low biodiversity value.

Disturbance to key species: There will be no significant impacts upon any bird species listed as an SCI of the Dundalk SPA. There will be no negative impacts upon the attributes, measures or targets of these qualifying interests that are required for the maintenance of these species at favourable conservation condition. There will be no reduction in water quality in Dundalk Bay SPA that would affect these species. There will be no loss of any feeding grounds used by protected bird species.

Habitat or species fragmentation: There will be no habitat or species fragmentation within Dundalk Bay SAC or SPA. No ecological corridors between the proposed site and any SAC or SPA will be damaged or destroyed.

Reduction in species density: There will be no reduction in species density within any designated site.

Changes in key indicators of conservation value (water quality etc.): There will be no negative impacts upon surface or ground water quality within any SAC or SPA. There will be no negative impacts upon the water quality in any designated site.

Describe any likely impacts on the nearby Natura 2000 sites as a whole in terms of:

Interference with the key relationships that define the structure or function of the site: It is not considered likely that there will be any impacts on the key relationships that define the structure or function of the Natura 2000 sites identified.

Provide indicators of significance as a result of the identification of effects set out above in terms of:

Loss - Estimated percentage of lost area of habitat: None

Fragmentation, Disruption & disturbance: None

Change to key elements of the site (e.g. water quality etc.): None

3.5 FINDING OF NO SIGNIFICANT EFFECTS

Finding of No Significant Effects Report Matrix	
Name / Description of Project	The Creation of an Outdoor Public Space at Roden Place, Dundalk. Works will be Sought Under Part 8 of the Planning and Development Act.
Name and location of Natura 2000 site	There are six Natura 2000 sites within 15km of the application site. At its closest point, the proposed is situated 745m south-west of Dundalk Bay SAC and SPA. In this instance, as there is no connectivity, this distance is sufficient to ensure that significant effects will not arise.
Is the project directly connected with or necessary to the management of the site?	No
Are there other projects or plans that together with project being assessed could affect the site?	No
The Assessment of Significance of Effects	
Describe how the project is likely to affect the Natura 2000 site	Having regard to the location, nature and scale of the proposed development, it is considered that there is no potential for significant effects either from the proposed development on its own or in combination with other plans and projects.
Explain why these effects are not considered significant	Not applicable as there is no potential for negative impacts
Describe how the project is likely to affect species designated under Annex II of the Habitats Directive.	No impacts likely
Data Collected to Carry out the Assessment	
Who carried out the assessment	Noreen McLoughlin, MSC, MCIEEM. Consultant Ecologist
Sources of data	NPWS, EPA, National Biodiversity Data Centre, Louth County Council
Level of assessment completed	Stage1 Appropriate Assessment Screening
Where can the full results of the assessment be accessed and viewed	Full results included

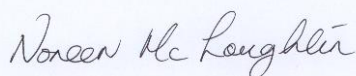
4 APPROPRIATE ASSESSMENT CONCLUSION

In accordance with Article 6(3) of the Habitats Directive, the relevant case law, established best practice and the precautionary principle, this AA Screening Report has examined the details of the project in relation to the relevant Natura 2000 sites within 15km of the application site.

At this stage of the AA process, it is for the competent authority, i.e., Louth County Council, to carry out the screening for AA and to reach one of the following determinations:

- a) AA of the proposed development is required if it cannot be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites;
- b) AA of the proposed development is not required if it can be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites.

It is of the opinion of the author that an AA of the proposed development is not required as it can be excluded, on the basis of objective information provided in this report, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites. Therefore, this proposed project does not need to proceed to Stage II of the Appropriate Assessment Process, i.e., a Natura Impact Statement (NIS).



Noreen McLoughlin, MSc, MCIEEM.
Ecologist.

(PI Insurance details available on request)