KERRY COUNTY COUNCIL

N70 Waterville to Ballybrack Road Improvement Scheme

Environmental Impact Assessment ("EIA") Screening Report
January 2025

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1.0 SUMMARY

The N70 Waterville to Ballybrack Road Improvement Scheme is located on the N70 National Secondary Road. It commences at the southern end of the promenade in Waterville town and extends south towards Caherdaniel. The proposed scheme includes a realigned carriageway with a separate pedestrian and cycle facility on one (western) side. The scheme includes a proposed new shared pedestrian and cycleway footbridge over the Currane river. A c.32m single span steel arch independent footbridge is proposed to the west of the existing road bridge.

A screening for Environmental Impact Assessment (EIA) was undertaken in accordance with the provisions of the Roads Act, 1993 as amended.

2.0 INTRODUCTION

EIA Screening has been completed by TOBIN Consulting Engineers having regard to the following regulations and guidance documents:

- Directive 2014/52/EU (the EIA Directive) as transposed by the Roads Acts 1993 – 2015 and Regulations thereunder;
- Department of Housing, Planning and Local Government (August 2018) Guidelines for Planning Authorities and An Bord Pleanála on Carrying out EIA (the 2018 Guidelines);
- Environmental Protection Agency, Guidelines on the information to be contained in Environmental Impact Assessment Reports (2022);
- European Commission (2017) Environmental Impact assessment of Projects, Guidance on Screening (the EC 2017 Guidance);Guidelines issued by the Department of Housing, Planning and Local Government to Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (August 2018); and
- Office of the Planning Regulator ("OPR") Practice Note PN02 on Environmental Impact Assessment Screening (June 2021).
- Planning and Development Acts and Regulations 2000 – 2023;

3.0 STATEMENT OF COMPETENCE

Louise Byrne is a Chartered Member of the Royal Town Planning Institute and has over 14 years' experience in Ireland and the UK in Planning, Development and Environmental legislation. She specialises in the preparation of Environmental Impact Assessment Reports, EIA Screening and Planning Policy Submissions.

John O'Flaherty is a Chartered Engineer with over 26 years' post graduate experience in Civil Engineering. He has led multi-disciplinary teams in the delivery of Road Projects for over 18 years. In that time, he has delivered multiple National and Non-National Road Projects from Concept through to Handover.

4.0 REGULATORY CONTEXT

The screening is done by reference to the criteria set out in Annex IIA and III of the EU Directive 2011/92/EU, as amended by Directive 2014/52/EU ("the EIA Directive") and as transposed into Irish law in the Roads Act 1993 as amended.

The criteria to determine whether a sub-threshold development should be subject to an EIA are set out in Section 50 of the Roads Act, 1993 as amended.

Under sections 50 and 51 of the Road Act 1993, as amended, an EIA is required for certain types of road development.

In relation to sub-threshold road schemes the key requirement is whether the proposed scheme is likely to have a significant environmental effect as set out under Sections 50.

5.0 PROPOSED DEVELOPMENT AND EXISTING SITE

The location and layout of the proposed N70 Waterville to Ballybrack Road Improvement Scheme can be viewed in Figures 5-1 and 5-2 below. The proposed development involves the:

- Realignment and improvement of 1373m of existing carriageway
- Construction of a separate pedestrian and cycle lane facility, totalling 1253m in length
- Provision of a shared pedestrian and cycleway bridge, approximately c. 32m in length

The proposed road improvement scheme is located south of the Town of Waterville on the N70 National Secondary Road in County Kerry.

The proposed scheme will commence in the Townland of Eightercua at the Benjamin Close housing estate and terminate at the promenade in Waterville. The mainline carriageway improvement works will be 1373m in length and will include improvements at two local road junctions as well as several private accesses. The shared cycle/pedestrian facility will connect the Benjamin Close housing estate to the promenade in Waterville and will be 1253m in length serving several residences, the Hogs Head Golf Course, Kerry Way, hotel and guest house. It is proposed to provide a Type 3 single carriageway in accordance with TII Publications and a segregated shared footpath/ cycleway for the extent of the improvements.

The proposed road improvement scheme will include a shared pedestrian and cycleway bridge over the Currane River.

The existing N70 at this location is a legacy National Secondary Road with no defined geometric design. It is substandard in both horizontal and vertical alignment. The width varies between 4.9m and 5.4m which is also substandard. This narrow cross-section renders the route unsafe for vulnerable road users. The current forward visibility is as low as 40m in areas which is insufficient visibility for vehicles to stop safely in an emergency. The two junctions at the L-7539-0 and L-11590-0 have substandard visibility envelopes. There are currently no facilities for vulnerable road users. The proposal will involve the improvement of these substandard elements and include the demolition in part of existing roadside stone walls. On completion the proposal will provide improved road safety for all road users including cyclists and pedestrians. The scheme will involve:

- Removal of 320m of hedgerow located along the route realignment at the southern end and other associated earthworks,
- Excavation and/or fill of route realignment, although most of the works relate to levelling of existing surface,
- Construction of new independent, single span steel arch footbridge c.32m in length.
- Widening of the existing carriageway involving excavation and overlay of existing N70
- Associated drainage works and other ancillary works

The surrounding lands comprise of ribbon development and one-off rural housing to the east of the carriageway and tourist and hospitality facilities to the west. Lough Currane is located approximately 345m northeast of the existing carriageway, with the Atlantic coast situated

623m to the west. The Currane/Waterville River runs between the two and the existing carriageway crosses this river via a traditional stone-built bridge.

Subject to statutory approval, it is anticipated that proposed construction works will commence in 2025 for an approximate duration of 12 months.

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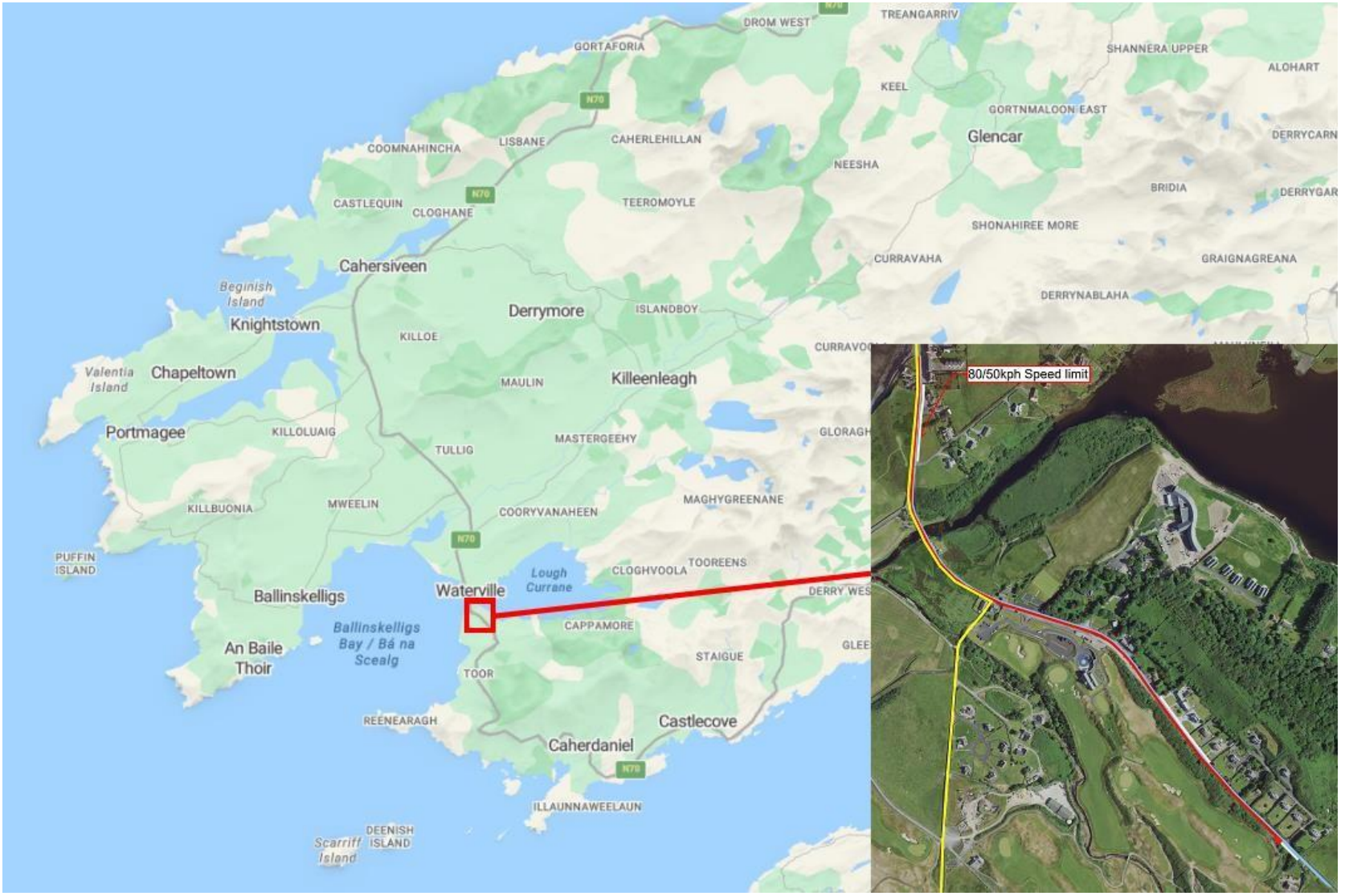

Figure 5-1: Site Location Map (South-West Kerry)

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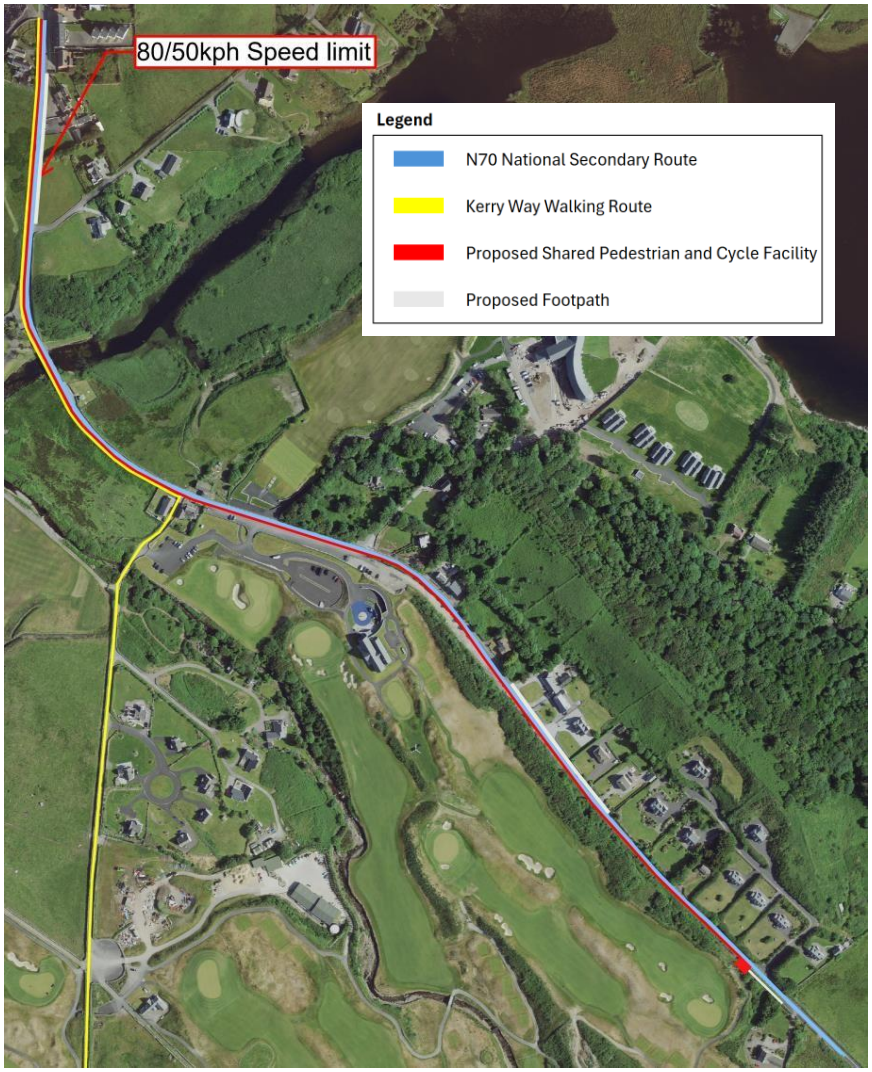

Figure 5-2: Site Layout Plan

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5.1 Characteristics of the Proposed Development

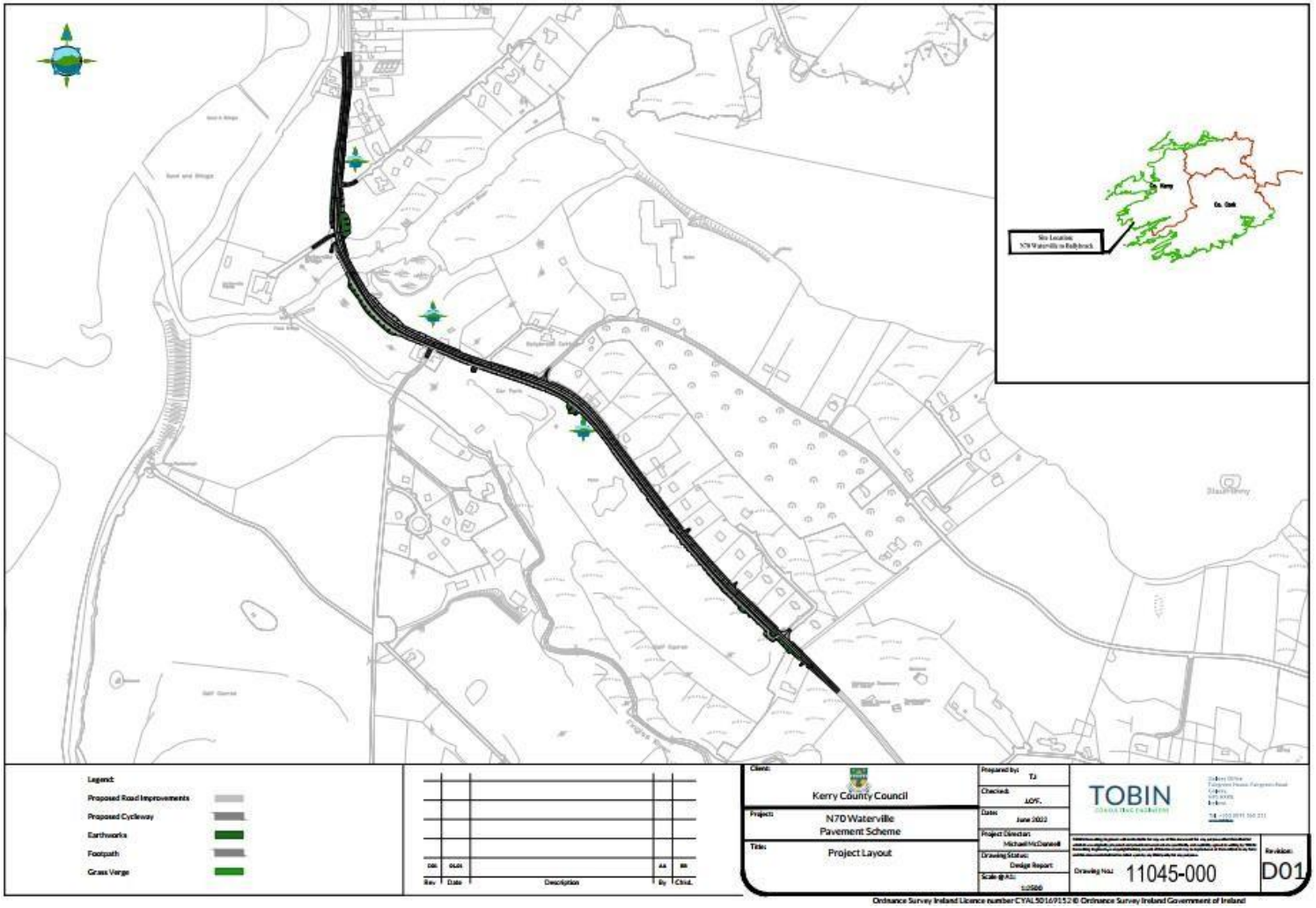

Figure 5-3:Extent of Proposed Scheme

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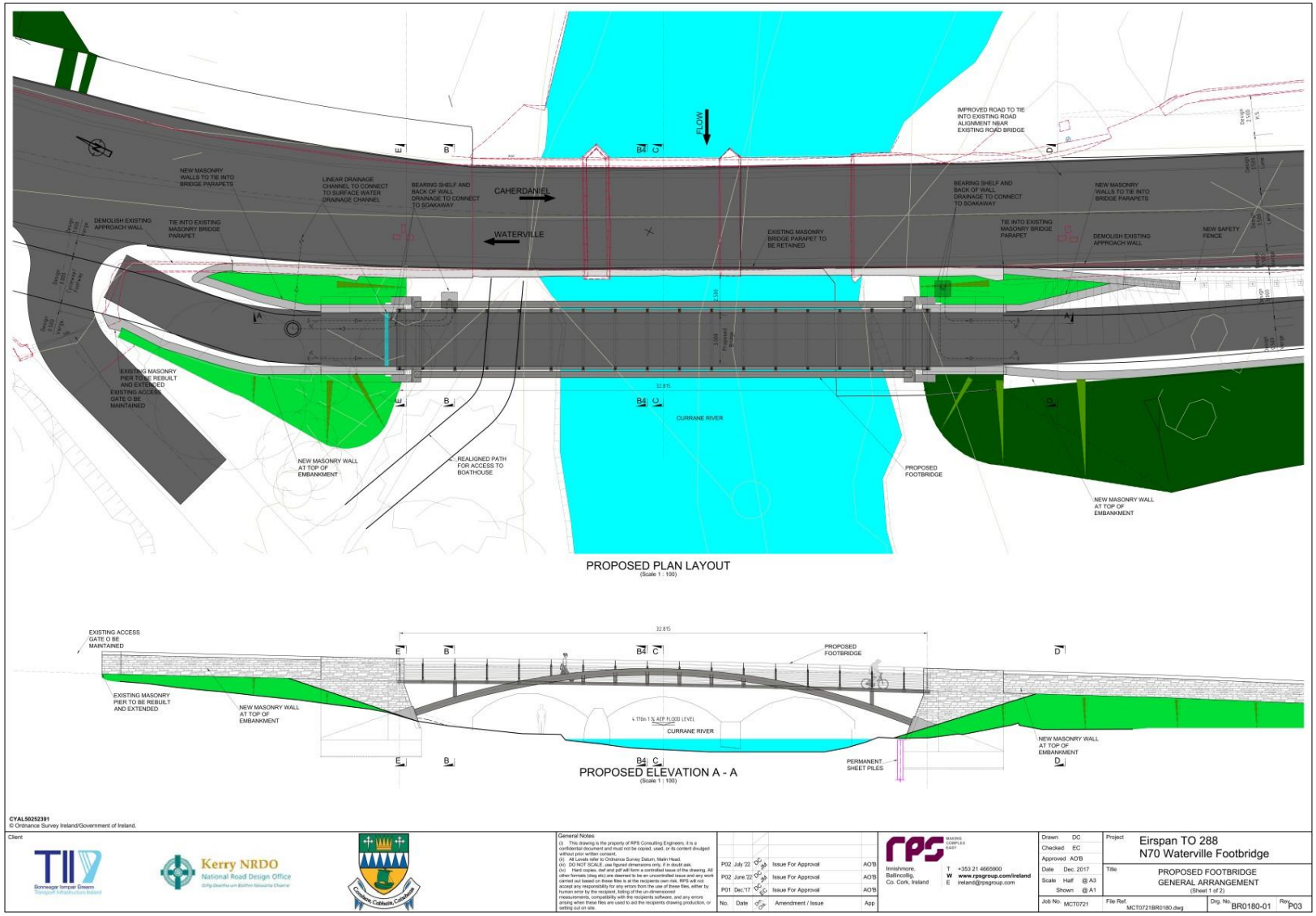


Figure 5-4 Proposed Footbridge at Currane River

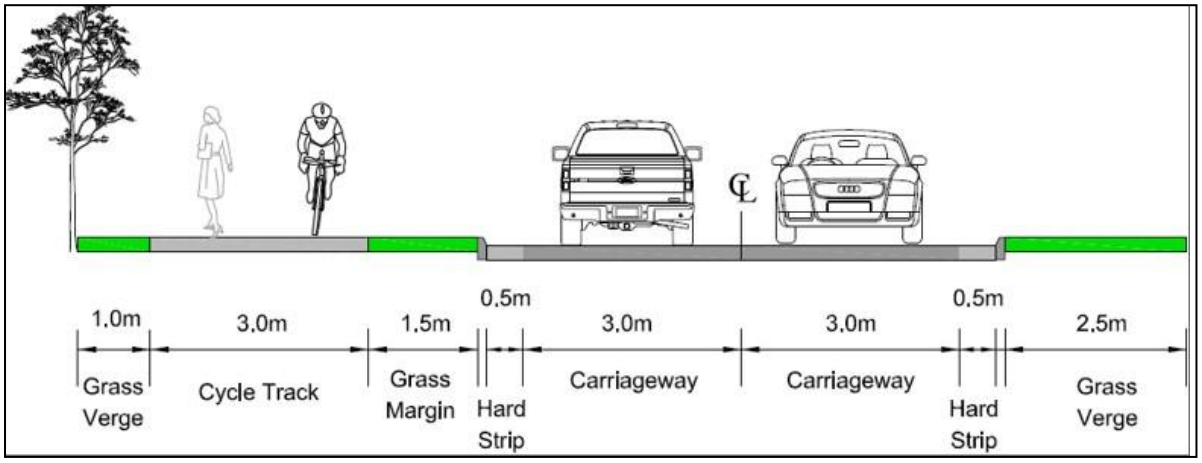
Figure 5-5 Description of Proposed Works

5.1.1 Section 1

This section of the scheme extends from the Townland of Eightercua in the South to the Currane River Bridge (1020m approx.). It will include road alignment works and pavement improvement, as well as the provision of a two-way cycle and pedestrian facility, situated on one side of the road only. Figure 5-6 illustrates a cross section proposed as part of the upgrade works. The width of the proposed new road will be 6m with a 0.5m hard strip on each side.

The proposed upgrade works will also result in the removal of some existing hedgerows and stone walls along the road.

Figure 5-6: Cross Section of the Proposed Upgrade Works



5.1.2 Section 2

The second section of the scheme is at the Currane River Bridge, an existing masonry bridge which spans over the Currane River. The Currane catchment drains to Lough Currane, from which the Currane river outflows. Upgrade works will include realignment works on the approach to the bridge itself and pavement improvement works to the bridge itself. In addition, a new two-way cycle and pedestrian bridge will be provided west of the existing bridge. Works associated with the new pedestrian/cycle bridge will be undertaken from the riverbank, outside the SAC boundary.

The bridge superstructure (steel deck including handrail posts) will be fabricated offsite and brought to the proposed development site. Foundations will be constructed on the banks of the river and the bridge will be installed by crane which will be situated on the existing road. Sheet pile cofferdams will be installed around the two bridge abutments to facilitate excavation to the founding level. The sheet piles will be installed to an approximate depth of 2m below ground level. The area around the sides of the abutment footings will then be backfilled with a clean granular material to existing ground level. The sheet pile cofferdams will be removed using an excavator mounted vibrator. The sheet piles on the front face of the south abutment (along the edge of the river) shall be left in place and cut down to just below ground level.

Minor instream works will be undertaken along the northern bank of the Currane River to facilitate the proposed drainage system works. The instream works will be small-scale (ca. 2m^2 in size).

A photomontage of the proposed pedestrian bridge is shown in Figure 5-7 below. Overlay and carriageway widening is also required for this section of carriageway.

Figure 5-7: Photomontage of the proposed pedestrian bridge which will be installed along the western boundary of the existing bridge

5.1.3 Section 3

The final section of the proposed works is a 320m stretch of road heading towards Waterville Town from Currane River Bridge. A 3m wide shared two-way cycle and pedestrian facility are proposed on the western side of the carriageway, with a footpath required on the eastern side to run from a private road junction back towards Waterville. Pavement repair and renewal is required along this section of carriageway as well as delineation and improved signage. Overlay and carriageway widening will also be provided along this section of carriageway. The widening works will require the construction of retaining walls .

5.1.4 Proposed Drainage System

There is currently no formal drainage system in place to cater for road runoff along the section of the N70 road outside of the Waterville Village extents.

A new drainage system is therefore proposed and will include the following:

- A kerb and gully system will be used to collect surface water from the mainline and side road paved areas. The gullies will outfall to a combined filter drain running in the grass verge/margin adjacent to the kerb. The cycleway will fall towards the verge with water flowing over the edge to the grass verge and ultimately to the combined filter drain.
- Two outfall pipes are proposed within the drainage system: one (the northern outfall) will be located adjacent of the Currane River Bridge, and the second (the southern outfall) will be located south of the existing pumping station. A description of the two outfalls is provided hereunder.

Northern Outfall

One outfall pipe and headwall will be constructed to the northern bank of the Currane River adjacent to the eastern side (lakeside) of the existing bridge (as shown in Figure 5-8 below). This outfall will cater for surface water runoff from Ch 1060m to 1240m on the northern end of the scheme. This runoff will go through treatment via a grassed Channel / swale and petrol interceptor.

A section of the pipeline works (ca. 5m of the pipeline and the proposed headwall) will be located within the Killarney National Park, Macgillycuddy's Reeks and River Caragh River Catchment SAC. The pipeline and headwall will be constructed in an existing access track, which consists of gravel and amenity grassland and is currently being used to access a boat house from Waterville House (refer to Figure 5-9).

Figure 5-8: Proposed Northern Outfall

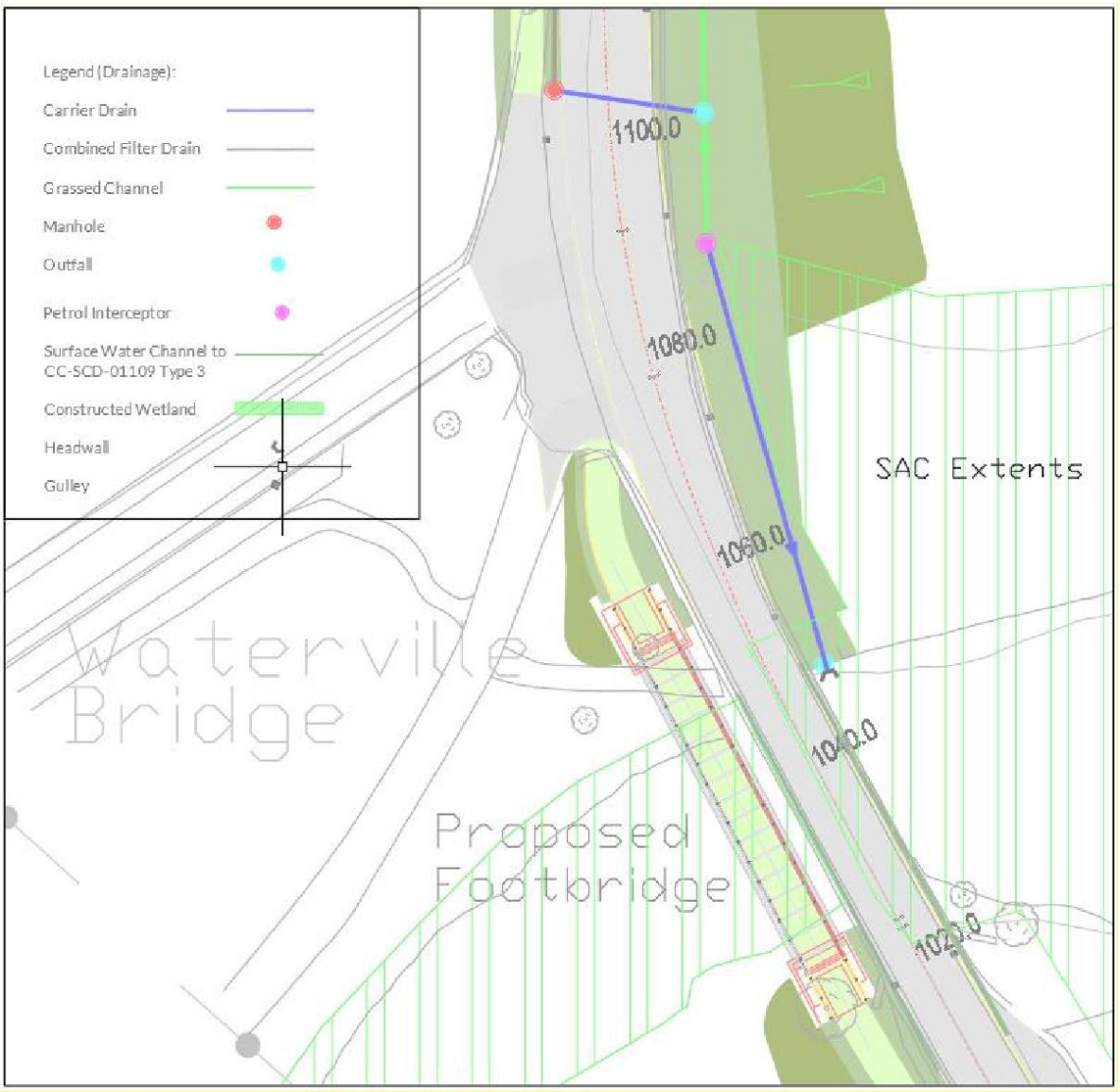


Figure 5-9: Existing Access Track Through SAC

Southern Outfall

A second outfall pipe is proposed south of an existing pumping station to accommodate road drainage from the south of the scheme. Currently runoff runs untreated off the road into the verge, eventually depositing at the lowest spot located adjacent to the existing pumping station.

To improve road drainage within this area, the new proposed drainage scheme will include a combined filter drain which will run on the southern side of the mainline from Ch 0 to Ch 785m where it crosses the road to Ch 812m via a carrier pipe. From Ch 812m to 978m a combined filter drain will convey the water to a petrol interceptor and wetland area. Drainage across the bridge will be provided by surface water Channels to CC-SCD-01109 Type 3 tight to the parapet wall with gullies conveying to the outfall manhole at CH 978m.

A petrol interceptor will be buried into the embankment adjacent to the manhole. The outlet of the interceptor will be piped to a head wall supporting the embankment. The existing ground will be shaped slightly to ensure water from the headwall travels slowly through the wetland to the outlet stream. The minor excavation required for this is shown in Figure 5-10 below.

Figure 5-10: Southern Outfall

5.1.5 Design Standards

The design standards used for the road improvement scheme follow TII standards. The road alignment design follows TII Standards DN-GEO-03031 Rural Road Link Design (May 2023), DN-GEO-03036 Cross Sections and Headroom (May 2023) and DN-GEO-03060 Geometric Design of Junctions (May 2023). The design standards used for the cycleway and pedestrian facility design were TII Standards DNGEO- 03031 Rural Road Link Design (May 2023), DN-GEO-03036 Cross Sections and Headroom (May 2023) and DN-GEO-03047 Rural Cycleway Design (Offline) (Aug 2022). The drainage system was designed in accordance with DN-DNG-03022 and associated standards.

The cycleway is in a rural low volume setting therefore a "Shared Use Two Way Cycle Facility with Pedestrians" with desired minimum width of 3.0m proposed.

5.1.6 Best Practices in the environmental management of Road Schemes

Mitigation measures which will be implemented during the construction phase are detailed hereunder.

5.1.6.1 Ecological Clerk of works and Construction Environmental Management Plan

A suitably qualified Ecological Clerk of Works (ECoW) will be appointed by the Contractor. The ECoW will be present for the duration of the construction phase programme and will ensure that all mitigation measures outlined within this report are implemented during the proposed construction works.

A Construction Environmental Management Plan (CEMP) will be prepared and will be implemented during the construction phase of the development. All mitigation measures outlined within the NIS will be incorporated within the CEMP.

5.1.6.2 Bridge Installation Mitigation Measures

The proposed pedestrian bridge will be constructed to the west (coastal side) of Currane River Bridge.

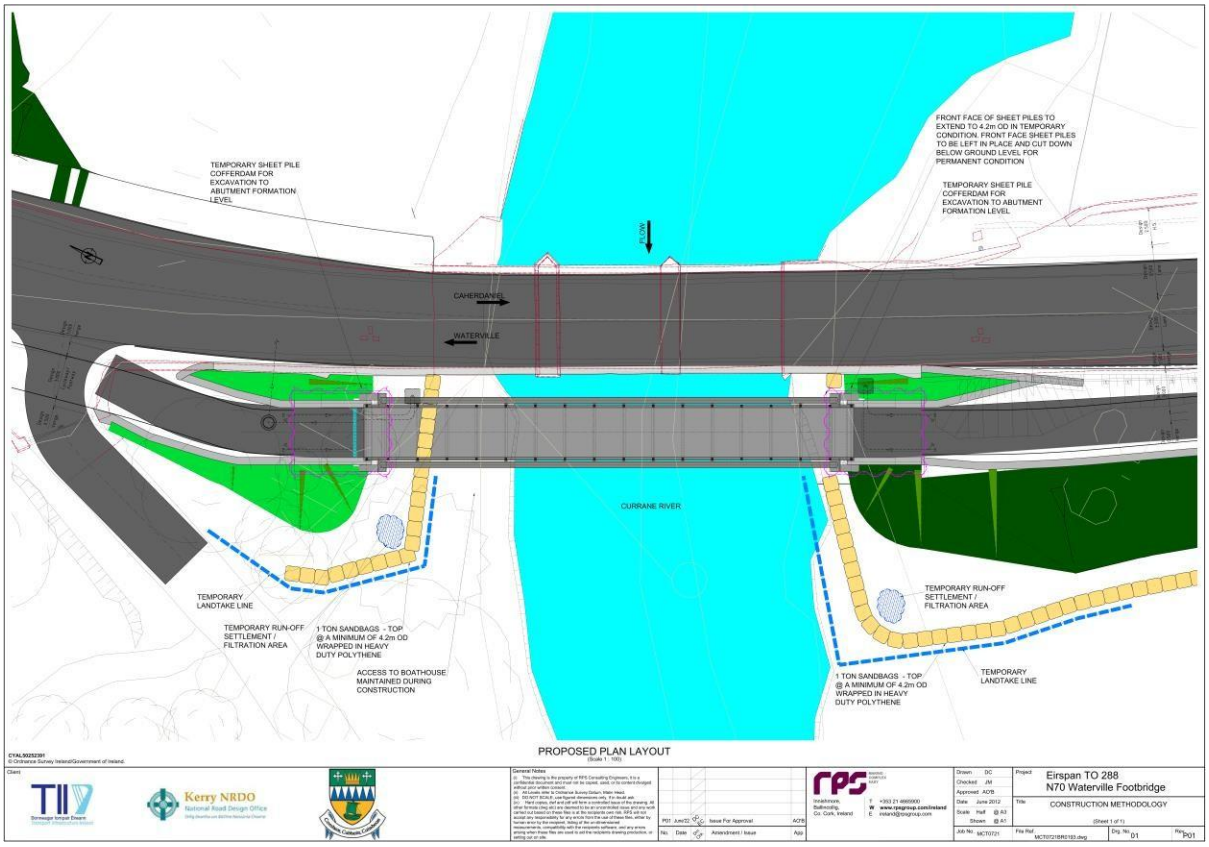
Prior to the construction works commencing, silt fences will be installed, by hand, along both banks of the Currane River.

Once the silt fences are installed, 1-1.5 tonne sandbags, wrapped in heavy gauge polythene will be positioned along both banks of the Currane River, creating a barrier around the construction works, as shown in Figure 5-11 Bridge Construction below. The sandbags will be lifted into place using a mechanical excavator.

Sheet pile cofferdams will be installed around the two bridge abutments to ensure there is no runoff from the works area (refer to Figure 5-11 Bridge Construction below). The sheet piles will be carefully pushed into the ground using an excavator or by using an excavator mounted vibrator. Impact driving of sheet piles will not be permitted. In-situ concrete will be poured into the formwork within the sheet pile excavation to form the abutment base slab.

Run-off settlement areas will be set up on both banks within the sandbag cofferdam (refer to Figure 5-11 Bridge Construction. This will consist of a mobile settlement tank with a pump to discharge to a vegetated grassed area (>50m from the river) to act as natural filter. No direct discharge to the river will be permitted at any time during the works. Silt fencing will be placed below where the water is discharged to the grassed area. Any sediment collected by settlement tanks/silt fencing will be transported off site by a licensed waste operator for appropriate disposal.

Figure 5-11 Bridge Construction



5.1.6.3 Management of Outfall and Headwall Works

Two stormwater outfall pipes will be installed as part of the proposed improvement works (refer to Figure 5-8 and Figure 5-10). One outfall pipe and headwall will be constructed to the north bank of the Currane River adjacent to the existing bridge and the second will include an outfall pipe located south of the existing pumping station discharging into a wetland.

The construction works associated with the installation of the headwall and outfall pipe on the northern bank of the Currane River will be undertaken in the dry and isolated from the river using small sandbags. Although the works area will be predominantly located on the bank of the river, a small area will extend into the river. The works area may therefore require the removal of any water ingress which will be over pumped to a grassy area located a minimum of 50m from the river.

Prior to the removal of any water, the isolated area will be inspected by the ECoW for the presence of fish and lamprey which will be translocated downstream if found. In addition, all excavated material from this area will be checked for the presence of lamprey.

Once a dry works area has been established minor excavation works will be undertaken either by hand or with a single tracked excavator. No machinery will be allowed into the watercourse. A pre-cast headwall will be used and brought to site and lifted into place. No onsite batching of concrete will be undertaken. Once the headwall has been installed the sandbag cofferdam will be removed.

All works associated the installation of the headwall on the northern bank of the Currane River will be undertaken during the period July-September, outside the salmon spawning season. In

addition, Inland Fisheries Ireland (IFI) will be consulted prior to works commencing in accordance with the detailed method statement outlining the proposed works and timing of works will be agreed.

The southern outfall pipe will be constructed on land. Silt fences will be installed around the perimeter of the excavation works.

5.1.6.4 Mitigation Measures to ensure the protection of the Currane River

To avoid the release of construction pollution/contaminates and silt into the Currane River, the following procedures will be implemented:

- An emergency plan for the construction phase of the proposed development to deal with accidental spillages will be drawn up, which all site personnel must adhere to and receive training in.
- All machinery will be regularly maintained and checked for leaks. Any refuelling of construction machinery/vehicles will not be undertaken within 50m of any surface water feature. If it is not possible to bring machinery to the refuelling point, fuel will be delivered in a double-skinned mobile fuel bowser. A drip tray will be used beneath the fill point during refuelling operations to contain any accidental spillages that may occur. No refuelling will be carried out within 50m of the Currane River.
- Excavation works will not be carried out during or following heavy rainfall (i.e., if there is a yellow weather warning in place or 5mm in a 1-hour period) this will be monitored by the appointed Contractor and ECoW by consulting Met Eireann forecast rainfall radar data. Excavations will be covered during high rainfall to avoid the creation of surface water with high concentrations of suspended solids that would require dewatering.
- All silt fences will be positioned to allow an appropriate working area but will not be placed within areas prone to flood. A permeable fabric (Hy-Tex Terraston Premium silt fence, or similar) will be used for the silt fences. The silt fencing will be erected as per the manufacturer's guidelines and will be installed under the ECoW supervision and will be maintained until all ground disturbance has ceased and vegetation re-established. Once installed, the silt fence will be inspected regularly during construction and more frequently during heavy rainfall events.
- The concrete works associated with the foundations of the bridge will be scheduled during dry weather only. Any waste concrete will be taken off-site to a licenced waste facility.
- No on-site batching will be permitted at the proposed development area. All concrete will be transported to the site by truck.
- Wash-down of concrete contaminated equipment will not take place within the proposed development site. All washdown of vehicles/equipment will be undertaken off-site, in a designated area, separated by at least 50m of any surface water feature. All concrete waste will be managed in accordance with waste legislation.
- No water will be abstracted from the Currane River. Any water requirements will be obtained from the existing water network.
- On completion of the construction phase of the proposed development, all apparatus, plant, tools, offices, sheds, surplus materials, rubbish and temporary erections or works of any kind will be removed from the site.
- The temporary welfare facilities will not have any discharge to ground or surface waters and will be located a minimum of 50m from the Currane River. All wastewater will be collected in a large tank and will be emptied as required by a licenced waste collector according to the manufacturer's guidelines.

5.1.6.5 Pre-construction Otter Surveys

A pre-construction otter survey will be undertaken by an appropriately experienced ecologist along the Currane River prior to the commencement of any works. This will be carried out to identify any changes in otter activity or the establishment of any new holts. The pre-construction survey should be conducted no more than 10—12 months in advance of the construction works, as per the TII (2008b) guidelines. If any new otter holts are identified within the ZoI of the proposed development, a derogation license will be sought from NPWS.

5.1.6.6 Disturbance /Displacement Mitigation Measures

No otter holts or resting/breeding sites of any protected species was recorded within the proposed development site. There is potential, however, for the disturbance (noise emissions and visual disturbance) of designated QIs (e.g., otter), which may forage or commute within the area, at least on occasion. To reduce noise and visual disturbance, construction noise will be kept to a minimum in accordance with British Standard BS 5228 1:2009 'Code of Practice for Noise and Vibration Control on Construction and Open Sites –Part 1: Noise'. Noise levels will be monitored using standard noise meters.

The night-time work associated with the installation of the pedestrian bridge will extend over two nights. Considering the temporary nature of these works, which will be undertaken adjacent to a road with existing elevated noise levels, the disturbance is likely to be negligible.

To reduce disturbance, all temporary lighting associated with the construction works will be placed strategically by the Contractor following consultation with the appointed ECoW. This will ensure that illumination beyond the works area is controlled. Lighting will be cowled and directional to reduce significant light splay. No lighting will be directed towards the Currane River. No impact or vibration piling will be permitted during the construction works. The sheet piles will instead be pushed into the ground using an excavator.

5.1.6.7 Management of Habitats

Removal of Vegetation

The proposed construction works area will be clearly demarcated to ensure no works or vegetation removal occurs outside the designated works area. Minor construction works (e.g., the installation of the outfall pipe and headwall on the northern bank of the Currane River) will be undertaken within the SAC site boundary. Following the completion of the works the disturbed lands will be fully reinstated. No machinery will be allowed within the watercourse.

Pre-construction Invasive Species Survey

Japanese knotweed was recorded in two locations within the proposed development site boundary and at one location outside the proposed development site. The appointed Contractor will be required to prepare an Invasive Species Management Plan (ISMP), which will outline an appropriate eradication and treatment plan for the invasive species prior to the construction phase of the proposed development commencing. The ISMP will be prepared in line with Transport Infrastructure Ireland (TII) guidelines for invasive species (TII, 2020a) and (TII, 2010). The ISMP will be informed by a pre-construction invasive species survey to establish the full extent of the infestation will be undertaken by a suitably qualified ecologist/botanist. An appropriate treatment method (chemical control and/or physical control) will then be applied to ensure control and removal of the invasive plant species. The implementation of the ISMP will guarantee the complete eradication of the invasive species. The works area will include a 7m

buffer from the Planning Application site boundary to account for the horizontal distance which Japanese knotweed roots can extend (TII, 2020a).

In addition, the appointed Contractor will ensure general biosecurity measures are implemented throughout the construction phase of the proposed development to ensure the introduction and translocation of new invasive species is prevented. The following mitigation measures are prescribed to control the translocation or spread of invasive species and/or pathogens:

- All machinery and equipment used during the construction works on arrival to and when leaving the proposed development site, will be thoroughly cleaned and then dried using a high-pressured steam cleaning, with water >65 °C, in addition to the removal of all vegetation material. Disinfectant, such as a Virkon® Aquatic solution, will be used. The appointed Contractor will establish and clearly delineate a bunded cleaning/washing area which will be located within the construction compound.
- No removed material or run-off will be allowed to enter any water bodies (e.g., drainage ditches) .
- A strict biosecurity demarcation area will be installed by the ECoW within zones where invasive species exist.
- Evidence that all machinery and equipment has been cleaned will be required to be on file for review by the statutory authorities and the appointed ECoW.

5.1.7 Operation Phase Mitigation

5.1.7.1 Road and Drainage Maintenance

Maintenance of the road drainage system will be periodically monitored by Kerry County Council to ensure the system is operating sufficiently. Any maintenance vehicles utilised during the operational phase will be regularly maintained and checked to ensure damages leakages are corrected. Any erosion to the road surfaces will also be monitored and managed where required.

5.2 Mitigation Effectiveness

The appointed Contractor and ECoW will be responsible for ensuring all mitigation measures listed above, including any additional planning conditions as part of statutory approval, are fully implemented during construction works.

The above listed mitigation measures will be implemented prior to the construction works commencing and/or undertaken throughout the duration of the works and operational phase.

The above mitigation measures are standard best practise and are proven technologies / methods. These mitigation measures, will avoid potential impacts on the receiving environment, therefore, ensuring avoidance of adverse effects on the integrity of the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchments SAC.

A Nature Impact Statement has been prepared for submission to the competent authority for the purposes of Article 6[3] of the Habitats Directive.

5.3 Operational Phase

During the operational phase the proposed development site will continue to function as a road. The new pedestrian facilities will result in the attraction of pedestrians and cyclists utilising the road.

6.0 SCREENING DETERMINATION

This section considers the full proposed construction of N70 Waterville to Ballybrack Road Improvement Scheme with respect to transposed legislation.

6.1 Roads Act 1993-2015 and Regulations thereunder

This section considers the proposed construction of N70 Waterville to Ballybrack Road Improvement Scheme with respect to Sections 50 and 51 of the Road Act 1993 (as amended), which require an EIA in the following circumstance:

S.50.— (1) (a) A road development that is proposed that comprises any of the following shall be subject to an environmental impact assessment:

(i) the construction of a motorway;

(ii) the construction of a busway;

(iii) the construction of a service area;

(iv) any prescribed type of road development consisting of the construction of a proposed public road or *the improvement of an existing public road*.

Part V of the Roads Regulations 1994 prescribes types of proposed road development for the purpose of subsection (1)(a)(iv) of section 50 of the Act shall be—

(a) the construction of a new road of four or more lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, *realigned or widened road would be eight kilometres or more in length in a rural area*, or 500 metres or more in length in an urban area;

(b) *the construction of a new bridge or tunnel which would be 100 metres or more in length.*

The proposed road improvement scheme is located outside Waterville Village and involves the realignment, improvement and widening in part, of the existing carriageway for the provision of separate pedestrian and cycle lane facilities including the construction of a new pedestrian and cycleway bridge over the Currane River. c. 32m in length. The proposal as such does not fall under the classes of development prescribed for EIA under Sections 50 of the Road Act 1993 (as amended).

7.0 INFORMATION PROVIDED FOR EIA

Under Section 50[1][e] of the Roads Act, 1993 as amended, as provided for in AnnexIIA and Annex III of the EIA Directive, the following information is to be provided by the applicant for the purposed of screening sub-threshold development for Environmental Impact Assessment:

1. A description of the proposed development, including in particular—
   - A description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and
   - A description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.

2. A description of the aspects of the environment likely to be significantly affected by the proposed development.

3. A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—
   - the expected residues and emissions and the production of waste, where relevant, and
   - the use of natural resources, in particular soil, land, water and biodiversity.

4. The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Annex III of the EIA Directive , which is set out below.

Annex IIA and Annex III of the EIA Directive-

1. Characteristics of proposed development - The characteristics of proposed development, in particular—
   - the size and design of the whole of the proposed development
   - cumulation with other existing development and/or development the subject of a consent for proposed development
   - the nature of any associated demolition works
   - the use of natural resources, in particular land, soil, water and biodiversity
   - the production of waste
   - pollution and nuisances
   - the risk of major accidents, and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge
   - the risks to human health (for example, due to water contamination or air pollution)

2. Location of proposed development - The environmental sensitivity of geographical areas likely to be affected by the proposed development, with particular regard to—
   - the existing and approved land use,
   - the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground,
   - the absorption capacity of the natural environment, paying particular attention to the following areas:
     (i) wetlands, riparian areas, river mouths;
     (ii) coastal zones and the marine environment;
     (iii) mountain and forest areas;
     (iv)nature reserves and parks;
     (v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and;
     (vi)areas in which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union and relevant to the project, or in which it is considered that there is such a failure;
     (vii) densely populated areas;
     (viii) landscapes and sites of historical, cultural or archaeological significance.

3. Types and characteristics of potential impacts - The likely significant effects on the environment of proposed development in relation to criteria set out under paragraphs 1 and 2, regarding the impact of the project on the factors specified, considering—

- the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected),
- the nature of the impact,
- the transboundary nature of the impact,
- the intensity and complexity of the impact,
- the probability of the impact,
- the expected onset, duration, frequency and reversibility of the impact
- the cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed development and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment, and
- the possibility of effectively reducing the impact.

8.0 EIA SCREENING ASSESSMENT

This section provides an EIA Screening against the appropriate criteria as established by the EIA Directive Annex IIA and Annex III.

Table 8.1 below screens the proposed road improvement scheme against the EIA Directive Annex IIA and Annex III criteria. Information pertaining is further supplemented with a Natura Impact Statement Report (January 2024).

In this regard we refer to the Planning and Environmental Considerations Report (PECR) that accompanies the application under Section 177AE of the Planning and Development Act, as amended.
Having regard to the conclusions reached in each of those Sections of the PECR, we conclude that taking account of these other assessments including the available results of other relevant assessments of the effects on the environment carried out pursuant to any Act of the Oireachtas or under European Union legislation (other than the EIA Directive), that no EIA is required.

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Table 8-1: N70 Waterville to Ballybrack Road Improvement Scheme Screening against Criteria

Screening against EIA Directive Annex III	
1. Characteristics of project	Consideration of the proposed road improvement scheme
The characteristics of projects be considered, with particular, regard to: - a) the size and design of the whole project; b) cumulation with other existing and/or approved projects c) the nature of any associated demolition works d) the use of natural resources, in particular land, soil, water and biodiversity; e) the production of waste; f) pollution and nuisances; g) the risk of major accidents having regard in particular to substances or technologies used and/ or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge; h) the risks to human health (for example due to water contamination or air pollution).	There is no likelihood of significant environmental effects arising from the proposed road improvement scheme having regard to the characteristics of the project, as set out below: a) The project is not significant in terms of design or size. The proposal involves the realignment, improvement and widening in part, of an existing carriageway 1373m in length in an area outside Waterville Town. In addition, it is intended to provide a separate pedestrian and cycle lane facility approximately 1253m in length and a new shared cycle/pedestrian bridge, c. 32m in length. The proposal will involve: • Removal of 320m of hedgerow located along the route realignment at the southern end and other associated earthworks, • Excavation and/or fill of route realignment, although most of the works relate to levelling of existing surface, • Construction of new independent, single span steel arch footbridge c.32m in length. • Widening of the existing carriageway involving excavation and overlay of existing N70 • Associated drainage works and other ancillary works b) A review of planning applications within 500 metres of the site for the years 2017 – 2021 indicates that there are no significant development proposals within the vicinity of the site that could act in cumulation with the project. In addition, the small-scale nature and operation of the proposal is unlikely give rise to any significant cumulative environmental effects. c) There are no elements of the proposal that make use of natural resources other than excavation associated with the removal of soil. All waste produced including soil removal will be managed in accordance with approved removal practices. Likewise, at operational stage, no natural resources are needed from the area. Please refer to sections 4 (Biodiversity), 5 (Soils and Geology) and 6 (Water) of the Planning and Environmental Considerations Report that accompanies the application.

Table 8-1: N70 Waterville to Ballybrack Road Improvement Scheme Screening against Criteria

Screening against EIA Directive Annex III	
	d) To ensure the protection of the environment during the construction and operation of the scheme, TII standard environmental guidelines for the construction of road schemes will be adopted. In addition, a detailed construction management plan will be prepared by the Main contractor. This will ensure the containment of any pollution on site during construction. This will include a fuel management plan; sediment control plan and general waste management plan, environmental management of post construction including landscaping and treatment of protected species and invasive species during construction and operation. A detailed design and method statement will be produced for the construction of the bridge including consultation with Inland Fisheries Ireland with regards to the construction methods proposed and timing of works. Standard best practices in the management of water during construction works and operation will be undertaken with only minor instream works proposed. The mitigation is set out in detail in the Natura Impact Statement prepared for submission to the Competent Authority for the purpose of Art. 6[3] of the Habitats Directive. The management plans prepared by the Contractor will include all mitigation measures contained within the NIS. e) The proposed development during construction and operation will not result in significant pollution or nuisance. The proposed works will generate noise during construction from general building works. The permissible hours of operation of a building site within Kerry County Council are Monday to Friday 07.00 – 18.00, and Saturday 08.00 – 14.00, with no noisy work permissible on Sundays or bank holidays. The construction works will be subject to applicable standards including BS 5228:2009 and A1:2014 "Code of Practice for Noise and Vibration Control on Construction and Open Sites" and Kerry County Council Air Quality Monitoring and Noise Control Unit. During operation, the proposed development is not anticipated to generate noise over and above the existing use of the roadway. Other potential pollution or nuisance could include visual intrusion, lighting and traffic. Construction related lighting will be provided in accordance with hours of construction with light spill associated with construction lighting will be minimised where possible. During operation, the level of lighting provided will not be over and above existing lighting provided within the roadway.

Table 8-1: N70 Waterville to Ballybrack Road Improvement Scheme Screening against Criteria

Screening against EIA Directive Annex III	
	It is not anticipated that the scale of operations involved either at construction or operation will generate a significant increase in traffic. Standard construction measures will be adopted to minimise the impact of any dust generated during construction. The closed human receptors are located in dwellings which are situated along the north-eastern boundary of the proposed development site, approximately 15m from the proposed site boundary. Any impacts arising from dust is expected to be of short duration. It is anticipated that the proposed construction works will commence Q3 2023 and last for an approximate duration of 360 days. All construction works will follow the TII standard environmental guidelines for the construction of road schemes through the provision of a Construction Management Plan. In addition, the Contractor will be required to complete an Environmental Operating Plan (EOP) in accordance with the TII publication 'Guidelines for the creation, implementation and maintenance of an on Environmental Operating Plan' (EOP). Included within the EOP will be the Waste Management Plan (WMP) in accordance with the 'Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects'(DoEHLG) which clearly sets out the Contractor's proposals regarding the treatment, storage and disposal of waste. The mitigation is set out in detail in the Natura Impact Statement prepared for submission to the Competent Authority for the purpose of Art. 6[3] of the Habitats Directive. The management plans prepared by the Contractor will include all mitigation measures contained within the NIS. In relation to the proposed bridge construction, a detailed design and method statement shall be drawn up by the contractor indicating the standard measures that will be undertaken to avoid (i) sediment loss, and; (ii) cement and hydrocarbon release, associated with all aspects of the construction phase. The method statement shall include details of the response strategy and chain of command in the event of flooding occurring during works. A mechanism for reporting of pollution incidents will be agreed in advance between the contractor(s) and the IFI and NPWS. The mitigation is set out in detail in the Natura Impact Statement prepared for submission to the Competent Authority for the purpose of Art. 6[3] of the Habitats Directive. The management plans prepared by the Contractor will include all mitigation measures contained within the NIS.

Table 8-1: N70 Waterville to Ballybrack Road Improvement Scheme Screening against Criteria

Screening against EIA Directive Annex III	
	Please refer to sections 8 (Traffic), 9 (Air Quality) and 10 (Noise and Vibration) of the Planning and Environmental Considerations Report that accompanies the application. f) The proposed development will not result in a risk of major accidents and/or disasters including those caused by climate change or flooding. The proposed road improvement scheme is not a COMAH site (Control of Major Accident Hazards Involving Dangerous Substances) nor is the site location near a nuclear installation. Regarding climate change, the proposed development has been designed to be resilient against flooding through the construction of site surface water drainage with connections to the existing drainage network. h) The design and operation of the proposed development is not likely to result in water contamination. In addition, there are no operations on site during construction or operation that could result in the generation of significant levels of air pollution over and above existing operations on site.
2. The Location of Project	Consideration of the proposed road improvement scheme
The environmental sensitivity of geographical areas likely to be affected by development must be considered, with particular regard to: - a) the existing and approved land use; b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground	There are no geographical areas with environmental sensitives likely to be affected by the proposed development. In consideration of the location of the proposed road improvement scheme, there are no anticipated significant environmental effects arising with regards to: a) The proposed road improvement scheme is located adjacent to or within the boundaries of the existing N70 National Secondary Road, south of Waterville Town. Existing uses in proximity of the site include one off rural housing, a golf course, existing hedgerows, wet grassland, and amenity grassland associated with Waterville Hotel. The N70 carriageway sits within a rural area identified under the Kerry County Development Plan 2022-2028 (CDP) as "Rural Areas under Urban Influence" as set out under Map 8.8 of the adopted plan. In addition, the proposed road improvement scheme is in an area identified as a "visually sensitive area." The CDP states that development in these areas will only be considered subject to satisfactory integration into the landscape and

Table 8-1: N70 Waterville to Ballybrack Road Improvement Scheme Screening against Criteria

Screening against EIA Directive Annex III	
c) the absorption capacity of the natural environment, paying particular attention to the following areas: - i. wetlands, riparian areas, river mouths; ii. coastal zones and the marine environment; iii. mountain and forest areas; iv. nature reserves and parks; (v) areas classified or protected under Member States' national legislation; special protection Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC; (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation have already been exceeded and relevant to the project, or in which it is considered that there is such a failure; (vii) densely populated areas (viii) landscapes and sites of historical, cultural or archaeological significance.	compliance with the proper planning and sustainable development of the area. Beyond the Currane River, the proposed scheme will pass into the town boundary of Waterville. Existing uses adjacent to the route include existing residential and amenity park land. The scheme will finish at an existing beach promenade. Policies and objectives relating to the development within Waterville town are set out in the Kenmare Municipal District Local Area Plan 2024-2030. b) The project is not likely to have a significant impact on the relative abundance, availability, quality, or regenerative capacity of natural resources. c) There will be no impact on the absorption capacity of the natural environment. The Finglas River runs parallel to the N70, approx. 116m to the south, and joins the Currane River 112m southwest of the existing N70 bridge crossing. The proposed development site is located within the Dunmanus-Bantry-Kenmare Water Framework Catchment (ID_21) and within the Fingal River Waterville Sub Catchment SC_010 (ID_21-8) and River Sub Basin (010). Standard best practices in the management of water during construction works will be undertaken to ensure no discharge of sediment loaded water into surface watercourses. Surface water attenuation and settlement ponds will be incorporated into the project design to mitigate water quality impacts during operation. The mitigation is set out in detail in the Natura Impact Statement prepared for submission to the Competent Authority for the purpose of Art. 6[3] of the Habitats Directive. The management plans prepared by the Contractor will include all mitigation measures contained within the NIS. A review of Catchment Flood Risk Assessment and Management Study maps (CFRAMS) confirms that the site is not in a location identified as being at risk of flooding. The only record of a past flood event is located 2.69 km northwest of the proposal and is recorded as a recurring flood event from Lough Currane at Raheen. Please refer to sections 7 (Flood Risk Assessment) of the Planning and Environmental Considerations Report that accompanies the application. A stage 1 Appropriate Assessment (AA) was undertaken for the proposed development, which identified that part of the proposed development site is located directly adjacent to two European sites (the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC [Site Code: 000365] and the

Table 8-1: N70 Waterville to Ballybrack Road Improvement Scheme Screening against Criteria

Screening against EIA Directive Annex III	
	Ballinskelligs Bay and Inny Estuary SAC [Site Code 000335]) at the Currane River Bridge(Section 2 of the proposed scheme). The conclusion of this assessment was that a stage 2 Natura Impact Statement should be prepared. A Stage 2 Natura Impact Statement (NIS) was prepared for the proposed development, which identified that, in the absence of mitigation, the potential significant risk to the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment area disturbance and the potential reduction in water quality from the release of suspended solids and/or pollutants into the surface water system. However, following the application of detailed mitigation measures (as outlined in Section 6.0 of the NIS), potentially significant adverse effects will be avoided or reduced. This report concludes that, there will be no significant adverse effects as a result of the proposed development, alone or in-combination with any other plans or projects, on the qualifying interest habitats and species, or on overall site integrity, nor in the attainment of the specific conservation objectives, for the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC. The mitigation is set out in detail in the Natura Impact Statement prepared for submission to the Competent Authority for the purpose of Art. 6[3] of the Habitats Directive. The management plans prepared by the Contractor will include all mitigation measures contained within the NIS. The proposed development is not situated within a coastal zone, mountain, forest or nature reserve and there are no likely direct or indirect effects arising from the proposed development on the natural environment. The project will be provided in an area of low population outside the town of Waterville. When complete, the project will result in a positive long-term effect on local population and communities by providing improved road safety for all vulnerable road users and cycle and walking facilities. The project will not have any direct or indirect impact on any sites of historical, cultural, archaeological or architectural significance. Please refer to section 11 (Archaeology) of the Planning and Environmental Considerations Report that accompanies the application. Ballybrack Cottage is a protected structured located on the eastern boundary of the proposed scheme. Noting that the boundary of the cottage is also protected, no works are proposed under the scheme. A review of the

Table 8-1: N70 Waterville to Ballybrack Road Improvement Scheme Screening against Criteria

Screening against EIA Directive Annex III	
	National Monuments Service Archaeological Survey Database indicates the following recorded Monuments and Places (RMP), and Sites and Monuments (SMR) located within 500m from the site: Code: KE098-094 Class: Weir -fish Code: KE098-110 Class: Field Boundary Code: KE098-114 Class: Hut Site Code: KE098-114001 Class: Enclosure Code: KE098-082 Class Megalithic Structure Code: KE098-041 Class: Redundant Record Code: KE098-042 Class Ringfort – Cashel Code: KE098-042001 Class: Hut Site Code: KE098-042002 Class: Souterrain Code: KE098-042003 Class: Hut Site Code: KE098-045 Class: Ringfort – Rath Code: KE098-045003 Class: Hut Site Code: KE098-045002 Class: Hut Site Code: KE098-045001 Class: Hut Site Code: KE098-048001 Class: Church Code: KE098-048002 Class: Children's burial ground Code: KE098-047002 Class: Stone Row Code: KE098-047001 Class: Enclosure Code: KE098-043 Class: Ringfort – Cashel RPS KY-098-004: Ballybrack Cottage With respect to views from the N70 and wider landscape character assessment, the proposed scheme is considered to be of a scale and nature that would not result in a negative impact to the surrounding area. Road improvement works will be carried out within the boundary or adjacent to the existing N70, visual impact therefore will be kept low and within the confines of the carriageway. Where existing stone build walls are removed, reconstruction will take place in agreement with and under supervision of a suitably qualified conservation specialist. All original materials will be retained on site for rebuilding using traditional methods.

Table 8-1: N70 Waterville to Ballybrack Road Improvement Scheme Screening against Criteria

Screening against EIA Directive Annex III	
	A Landscape and Visual Impact Assessment has been prepared by Macro Works Ltd. for the proposed development, which concludes that the proposed development is not considered to give rise to any significant landscape or visual impacts. Please refer to section 12 (Landscape and Visual Impact Assessment) of the Planning and Environmental Considerations Report that accompanies the application.
3. Types and characteristics of the potential impact	Consideration of the proposed road improvement scheme
The likely significant effects on the environment of proposed development in relation to criteria set out under paragraphs 1 and 2, with regard to the impact of the project on the factors specified in paragraph (b) (i) (I) to (V) of the definition of 'environmental impact assessment report' in section 171A of the Act, taking into account: a) the magnitude and special extent of the impact (for example geographical area and size of the population likely to be affected); b) the nature of the impact; c) the trans frontier nature of the impact; d) the magnitude intensity and complexity of the impact; e) the probability of the impact;	There are no anticipated likely significant environmental effects arising from the proposed road improvement scheme, taking the following into account: a) The magnitude and special extent of impacts associated with the proposed development are considered not significant. The proposed development will be carried out within the boundary of or adjacent to the existing N70 roadway. b) The nature of impacts during construction will be temporary in that on site construction work, noise, dust and traffic and lighting, will have a temporary effect on existing surrounding uses. During operation the project when complete will result in a positive long-term effect on existing on-site uses by providing improved road safety and access for a variety of road users including vulnerable users. c) The project will not result in transboundary impacts. d) As set out above in sections 1 e) and 1 f) above, impacts arising during construction will be localised, temporary and managed through best practice construction guidelines with respect of excavation, soil removal, dust, traffic and lighting. Waste generated during the construction process will be controlled through measures adopted in a waste management plan. Construction traffic levels are anticipated to be relatively low considering the small-scale nature of the works involved for the proposal. Traffic management will be conducted in accordance with best practice guidelines issued by TII with respect of road improvement schemes.

Table 8-1: N70 Waterville to Ballybrack Road Improvement Scheme Screening against Criteria

Screening against EIA Directive Annex III	
f) the expected onset, duration, frequency and reversibility of the impact; g) the cumulation of the impact with the impact of other existing and/or approved projects; h) the possibility of effectively reducing the impact	Nuisance impacts are anticipated to be limited and controlled by applicable standards where appropriate. With regards to construction noise, standard construction actives proposed will be governed by appropriate standards and permissible hours, as set out above. As set out above, drainage arrangements during construction work will be subject to best practice standards to prevent water (both surface water and groundwater) pollution. The mitigation is set out in detail in the Natura Impact Statement prepared for submission to the Competent Authority for the purpose of Art. 6[3] of the Habitats Directive. The management plans prepared by the Contractor will include all mitigation measures contained within the NIS. As set out above, impacts arising during construction will be temporary and managed through best practice construction guidelines with respect of excavation, soil removal, dust, traffic and lighting. Waste generated during the construction process will be controlled through measures adopted in a waste management plan. e) The probability of impacts is confined to the construction stage of the project where impacts such as noise, dust, traffic and lighting will arise. Each of these impacts are likely to be temporary and of low intensity and complexity. f) With regard to the expected onset, duration, frequency and reversibility of impacts, it should be noted that no significant impacts are anticipated with respect to construction or operation of the facility. Impacts associated with construction are expected to last approximately 12 months, during standard and regularised construction hours of operation. Impacts associated with operation, such as noise and traffic will be in line with the current operational impacts. g) The Kerry County Council planning databases was searched to determine if any nearby plans or projects were likely to result in potentially significant cumulative impacts. There are no significant or largescale projects planned or approved within the last 5 years within the immediate vicinity of the proposal. Recent planning approvals and planned developments pertain to dwelling extensions and alterations. Most planning applications flanking both sides of the N70 carriageway pertain to Hogs Head development of tourist related amenities and facilities. Within Waterville Village, approvals predominately relate to external alterations and

Table 8-1: N70 Waterville to Ballybrack Road Improvement Scheme Screening against Criteria

Screening against EIA Directive Annex III	
	change of use of premises to café uses. Therefore, there are no anticipated cumulative impacts arising from the proposed road improvement scheme in combination with existing or approved projects. h) With respect to the possibility of effectively reducing the impact the design of the project has been optimised to ensure that environmental impacts are minimised as much as possible. These impacts are not considered significant and do not result in a requirement for EIA. i) There are no anticipated cumulative impacts arising from the proposed road improvement scheme in combination with existing or approved projects.

9.0 EIA SCREENING DETERMINATION

The proposed road improvement scheme does not meet or exceed thresholds or criteria set out under Sections 50 of the Roads Act 1993, as amended. As such, EIA is not mandatory.

Having regard to same, it is determined that there is no real likelihood of significant effects on the environment arising from the proposed development and that an EIA is not therefore required. The main reasons and considerations with reference to the relevant criteria are included in Section 8.0 above.

The main reasons for this decision are as follows:

[a] The proposal involves the realignment, improvement and widening in part of an existing carriageway 1373m in length in an area outside Waterville Town and to provide a separate pedestrian and cycle lane facility approximately 1253m in length and a new shared cycle/pedestrian bridge, c. 32m in length;[b] To ensure the protection of the environment during the construction and operation of the scheme, the mitigation is set out in detail in the Natura Impact Statement prepared for submission to the Competent Authority for the purpose of Art. 6[3] of the Habitats Directive includes all mitigation measures contained within the NIS, which apply with equal force and effect for the purpose of the EIA Directive and the Roads Acts, to this Screening Determination.

]c] In relation to the proposed bridge construction, a detailed design and method statement shall be drawn up by the contractor indicating the standard measures that will be undertaken to avoid (i) sediment loss, and; (ii) cement and hydrocarbon release, associated with all aspects of the construction phase, as part of the implementation of the mitigation measures and conditions/restrictions contained in the Natura Impact Statement for which approval is sought for the purpose of Art. 6[3] of the Habitats Directive. This Screening for EIA will accompany the application for the purpose of Art. 6[3] of the Habitats Directive.

[d] It is not anticipated that the scale of operations involved either at construction or operation will generate a significant increase in traffic, given the scale of development.

[e] The nature of impacts during construction will be temporary in that on site construction work, noise, dust and traffic and lighting, will have a temporary effect on existing surrounding uses. Standard mitigation measures will be applied such that no significant impact will arise.

[f] During operation, the level of lighting provided will not be over and above existing lighting provided within the roadway.

[g] Standard construction measures will be adopted to minimise the impact of any dust generated during construction.

[h] Road improvement works will be carried out within the boundary or adjacent to the existing N70, visual impact therefore will be kept low and within the confines of the carriageway.

[i] With respect to the possibility of effectively reducing the impact the design of the project has been optimised to ensure that environmental impacts are minimised as much as possible.

[j] In relation to the proposed bridge construction, a detailed design and method statement shall be drawn up by the contractor indicating the standard measures that will be undertaken to

avoid (i) sediment loss, and; (ii) cement and hydrocarbon release, associated with all aspects of the construction phase.

[k] During operation the project when complete will result in a positive long-term effect on existing on-site uses by providing improved road safety and access for a variety of road users including vulnerable users.

[l] The mitigation is set out in detail in the Natura Impact Statement prepared for submission to the Competent Authority for the purpose of Art. 6[3] of the Habitats Directive will be adopted. The management plans prepared by the Contractor will include all mitigation measures contained within the NIS for the purpose of Art. 6[3] of the Habitats Directive.

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