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**Kerry County Council / Competent Authority  
Screening Determination Statements**

**for the proposed**

**N70 Brackaharagh Road Project**



**October 2017**

## **Planning Authority Habitats Directive Assessment Screening Determination Statement**

### **Stage I Appropriate Assessment Screening Statement**

In accordance with Section 177U of the Planning and Development Act 2000, as amended, and on the basis of the objective information provided in the Habitats Directive Assessment Report carried out by Mr. Eoin Kelleher, E. Planner and Ecologist, Kerry County Council as Competent Authority determines that the proposed works, individually, and in combination with other plans and projects, are not likely to have a significant effect on a European site (Natura 2000 Site), and as such, a Stage 2 Appropriate Assessment / Natura Impact Statement is not required. The assessment as reported is adopted as the assessment of Kerry County Council.

### **Reasons for Determination**

It is noted that the Appropriate Assessment Screening Report has been carried out giving full consideration to the design, nature and location of the proposal, to Natura 2000 sites adjoining the site and in the vicinity and to all of the matters referred to in S177 (U) of the Planning and Development Act 2000, as amended.

It is considered that the report contains a fair and reasonable assessment of the likelihood of significant effects of the development on Natura 2000 sites and takes into account the potential for construction and operational impacts. The Appropriate Assessment Screening Report prepared ruled out the potential for significant effects on Natura 2000 Sites and is based on objective scientific information. As part of this particular attention was given to the Kenmare River SAC and to the Killarney National Park, MacGillycuddy's Reeks & Caragh River Catchment SAC, along with those located in the wider area.

It is noted that the proposal makes use of the existing N70 road corridor and incorporates standard environmental protection measures including the provision of mammal underpasses and fencing which will ensure landscape connectivity for otters is maintained and improved. Standard construction management water quality protection measures are also incorporated into the project, which is considered to be appropriate.

Signed:



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**Michael Scannell**

**Director of Services / Stúirthóir Seirbhísí, Economic & Community Development  
/ Forbairt Eacnamaíochta & Pobail**

Date:

1/11/2017

## **Planning Authority Environmental Impact Assessment Screening Determination Statement**

### **Environmental Impact Assessment Screening Statement**

Having regard to the requirements of the Roads Act 1993, as amended, the Planning and Development Act 2000, as amended, and of the EIA Directive, as amended, and on the basis of the objective information provided in the Environmental Impact Assessment Screening report carried out by Mr Eoin Kelleher E Planner and Ecologist, Kerry County Council as Competent Authority determines that the proposed works, individually, and in combination with other plans and projects, is not one which requires an EIA and is not likely to have a significant effect on the environment. Therefore it is determined that an Environmental Impact Statement / Environmental Impact Assessment Report (EIS/EIAR) is not required in this instance. The assessment as reported is adopted as the assessment of Kerry County Council.

### **Reasons for Determination**

It is noted that the Environmental Impact Assessment Screening Report prepared by Mr. Eoin Kelleher, E. Planner and Ecologist has been carried out giving full consideration to the EIA Directive (85/337/EEC) codified by Directive 2011/92/EU and amended by way of Directive 2014/52/EU and in particular to Annex I, II, IIA and III of that Directive, which set out requirements for mandatory and sub-threshold EIA. It is considered that the Report contains a fair, reasonable and objective assessment of the likelihood of significant effects of the development on the environment.

It is noted that the site is located in an environmentally sensitive area with landscape, biodiversity and cultural heritage interests. Notwithstanding this, it is considered that the visual, ecological, cultural and overall environmental impact in this instance would not be significant having due regard to the characteristics of the project, the location of the project and to the type and characteristics of the potential impacts. It is further considered that the proposal would impact positively on material assets, population and safety by way of improved public infrastructure.

The following reports prepared in relation to the proposal, including their conclusions and recommendations, were also noted:-

- (i) N70 Brackaharagh Road Project Preliminary Project Details and Particulars – which include environmental protection measures.
- (ii) N70 Brackaharagh Road Improvement Scheme County Kerry Preliminary Cultural Heritage Assessment which in line with best practice, recommends pre development test excavations along with additional archaeological and cultural heritage assessment.
- (iii) Strictly Protected Species Survey Reports for the proposed N70 Brackaharagh Road Project – which assess potential for impact on Kerry Lily, Otters and Kerry Slug populations.
- (iv) N70 Brackaharagh Road Project Landscape and Visual Impact Assessment.

The incorporation of dust management measures so as to protect the quality of adjoining heath habitat which contains a population of the Red Listed 'Kerry Lily' has been influential in avoiding what might otherwise have been significant adverse effects on the environment. Similarly the incorporation of mammal / otter underpasses and fencing are influential, as these will ensure safe (and improved) mammal access across the roadway. The incorporation of standard construction management water, air, noise and vibration environmental protection measures are also influential in ensuring the prevention of environmental impacts.

It is noted that a preliminary Cultural Heritage Impact Assessment has been undertaken. Based on this assessment and having regard to the characteristics and location of the project and to the type and characteristics of the potential impact, significant adverse effects on Cultural Heritage are not considered likely. In line with best practice, the proposal provides for pre development test excavations along with additional cultural heritage assessment, which is considered to be appropriate.

Signed:



**Michael Scannell**

**Director of Services / Stiúrthóir Seirbhísí, Economic & Community Development  
/ Forbairt Eacnamaíochta & Pobail**

Date:

4/11/2017