

Appropriate Assessment Screening

**as required under Article 6(3) of the Habitats Directive
(Council Directive 92/43/EEC)**

Renovation of the Mayfair Building

Horse Barrack Lane, Kilkenny

Prepared by: Moore Group – Environmental Services

14th October 2014



On behalf of Kilkenny County Council

All maps produced under licence from Ordnance Survey Ireland
Licence No. EN 002008 © Ordnance Survey Ireland Government of Ireland

TABLE OF CONTENTS	PAGE
1. INTRODUCTION	3
1.1. GENERAL INTRODUCTION	3
1.2. LEGISLATIVE BACKGROUND - THE HABITATS AND BIRDS DIRECTIVES	4
2. METHODOLOGY	5
2.1. GUIDANCE	6
2.2. DATA SOURCES	6
2.3. SCREENING STEPS	7
3. DESCRIPTION OF THE PROJECT	8
4. DESCRIPTION OF EXISTING ENVIRONMENT	12
5. IDENTIFICATION OF NATURA 2000 SITES	13
5.1. DESCRIPTION OF NATURA SITES POTENTIALLY AFFECTED	13
5.2. CONSERVATION OBJECTIVES OF THE NATURA 2000 SITES	15
5.3. ASSESSMENT CRITERIA	31
5.3.1. EXAMPLES OF DIRECT, INDIRECT OR SECONDARY IMPACTS	31
5.3.2. ECOLOGICAL NETWORK SUPPORTING NATURA 2000 SITES	34
6. IDENTIFICATION OF POTENTIAL IMPACTS & ASSESSMENT OF SIGNIFICANCE	35
6.1. POTENTIAL IMPACTS	35
6.2. ASSESSMENT OF POTENTIAL CUMULATIVE EFFECTS	36
7. SCREENING STATEMENT	37
8. REFERENCES	38

1. Introduction

1.1. General Introduction

The Habitats Directive (Council Directive 92/43/EEC) requires that all plans and projects must be screened for potential impact on Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). This process aims to establish whether a full Appropriate Assessment as required by Article 6 of the Directive is required in any particular case.

This report contains information required for the competent authority, in this case Kilkenny County Council, to complete an Appropriate Assessment (AA) process on the effects of the proposed renovation and extension of the Mayfair Building at Horse Barrack Lane, Kilkenny. This report will form part of a Part 8 Planning Application by Kilkenny County Council.

The project site is located adjacent to the Breagagh River which discharges into the River Nore in Kilkenny City. The River Nore in Kilkenny City is designated as part of the River Barrow and River Nore SAC (Site Code: 002162) and River Nore SPA (Site Code: 004233).

The report has been prepared by Moore Group – Environmental Services on behalf of Kilkenny County Council and assesses the potential for the proposed development to impact on sites of European-scale ecological importance in accordance with Articles 6(3) and 6(4) of the Habitats Directive. The report was compiled by Ger O'Donohoe (B.Sc. Applied Aquatic Sciences (GMIT, 1993) & M.Sc. Environmental Sciences (TCD, 1999)) who has 20 years experience in environmental impact assessment and has completed numerous Appropriate Assessment Screening Reports and Natura Impact Statements in terrestrial and aquatic habitats.

The report assesses the potential for the proposed development to impact on sites of European-scale ecological importance. It is necessary that the Project has regard to Article 6 of the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (referred to as the Habitats Directive). This is transposed into Irish Law by the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477) (referred to as the Habitats Regulations).

1.2. Legislative Background - The Habitats and Birds Directives

The Habitats Directive (Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora) is the main legislative instrument for the protection and conservation of biodiversity in the EU. Under the Directive member States are obliged to designate Special Areas of Conservation (SACs) which contain habitats or species considered important for protection and conservation in a European Union context.

The Birds Directive (Council Directive 79/409/EEC as amended 2009/147/EC), is concerned with the long-term protection and management of all wild bird species and their habitats in the EU. Among other things, the Directive requires that Special Protection Areas (SPAs) be established to protect migratory species and species which are rare, vulnerable, in danger of extinction, or otherwise require special attention.

Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas, designated under the Birds Directive, form a pan-European network of protected sites known as Natura 2000. The Habitats Directive sets out a unified system for the protection and management of SACs and SPAs.

Articles 6(3) and 6(4) of the Habitats Directive set out the requirement for an assessment of proposed plans and projects likely to affect Natura 2000 sites.

Article 6(3) establishes the requirement to screen all plans and projects and to carry out a further assessment if required (Appropriate Assessment (AA)):

Article 6(3): "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 subjected to an appropriate assessment of its implications for the site in view of the site's conservation objectives. In 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): "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, Member States shall take all compensatory measures necessary to ensure that the overall coherence of the 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 the beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest."

This Screening Report is a documentary record of the Appropriate Assessment process on the proposed renovation and extension of the Mayfair Building at Horse Barrack Lane, Kilkenny, referred to in this case as the Project.

2. Methodology

The Commission's methodological guidance (EC, 2002) promotes a four-stage process to complete the AA, and outlines the issues and tests at each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

Stages 1-2 deal with the main requirements for assessment under Article 6(3). Stage 3 may be part of Article 6(3) or may be a necessary precursor to Stage 4. Stage 4 is the main derogation step of Article 6(4).

Stage 1 Screening: This stage examines the likely effects of a project either alone or in combination with other projects upon a Natura 2000 site and considers whether it can be objectively concluded that these effects will not be significant.

Stage 2 Appropriate Assessment: In this stage, the impact of the project is considered on the integrity of the Natura 2000 site with respect to the conservation objectives of the site and to its structure and function.

Stage 3 Assessment of Alternative Solutions: This stage examines alternative ways of implementing the project that, where possible, avoid any adverse impacts on the integrity of the Natura 2000 site.

Stage 4 Assessment where no alternative solutions exist and where adverse impacts remain: Where imperative reasons of overriding public interest (IROPI) exist, an assessment to consider whether compensatory

In order to ensure that the Project complies fully with the requirements of Article 6 of the Habitats Directive and all relevant Irish transposing legislation, Moore Group carried out the screening of the Project on behalf of Kilkenny County Council to see if Stage 2 AA is required.

2.1. Guidance

The AA has been compiled in accordance with guidance contained in the following documents:

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities. (Department of Environment, Heritage and Local Government, 2010 rev.).
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPWS 1/10 & PSSP 2/10.
- 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 Environment Directorate-General, 2001); hereafter referred to as the EC Article Guidance Document.
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC Environment Directorate-General, 2000); hereafter referred to as MN2000.

2.2. Data Sources

Sources of information that were used to collect data on the Natura 2000 network of sites are listed below:

- Ordnance Survey of Ireland mapping and aerial photography available from www.osi.ie and Google Earth and Bing aerial photography.
- Online data available on Natura 2000 sites as held by the National Parks and Wildlife Service (NPWS) from www.npws.ie including; the Natura 2000 network Data Form; Site Synopsis; Generic Conservation Objective data
 - Online database of rare, threatened and protected species
 - Publicly accessible biodiversity datasets.

- Status of EU Protected Habitats in Ireland. (National Parks & Wildlife Service, 2008)
- Relevant Development Plans and Local Area Plans in neighbouring areas.
- Central Access Scheme for the City of Kilkenny EIS 2011; Appendix D Natura Impact Statement
- St. Francis's Abbey Brewery Demolition Works AA Screening Report

2.3. Screening Steps

In complying with the obligations under Article 6(3) and following the EC2000 and MN2000 Guidance, this AA has been structured as a stage by stage approach as follows:

Screening stage

- Description of the Project;
- Brief description of the Natura 2000 site(s) potentially affected;
- Conservation objectives of the Natura 2000 site(s);
- Assessment criteria;
 - Likely impacts on Natura 2000 site(s);
 - Cumulative and in combination impacts;
 - Likely changes to Natura 2000 site(s);
 - Elements of the Project where the impacts are likely to be significant;
- Identification and description of individual and cumulative impacts likely to result;
- Assessment of the significance of the impacts identified above on site(s) integrity;
- Exclusion of site(s) where it can be objectively concluded that there will be no significant effects; and
- Screening conclusion and statement.

If the effects are deemed to be significant, potentially significant, or uncertain, or if the screening process becomes overly complicated, then the process must proceed to Stage 2 (AA).

3. Description of the Project

The Mayfair Building forms part of the previous St. Francis' Abbey Brewery (SFAB) site located in the centre of Kilkenny City. It was once a centre of social activity as the Mayfair Ballroom. The proposed project involves the refurbishment and construction of a 445 m² two storey extension to the west, south and east sides of the Mayfair Building and the replacement of the existing public carpark with a pedestrian only public square, with a site area of c.0.193 hectares.

The location of the development site is presented in Figure 1 and Figures 2 and 3 below.

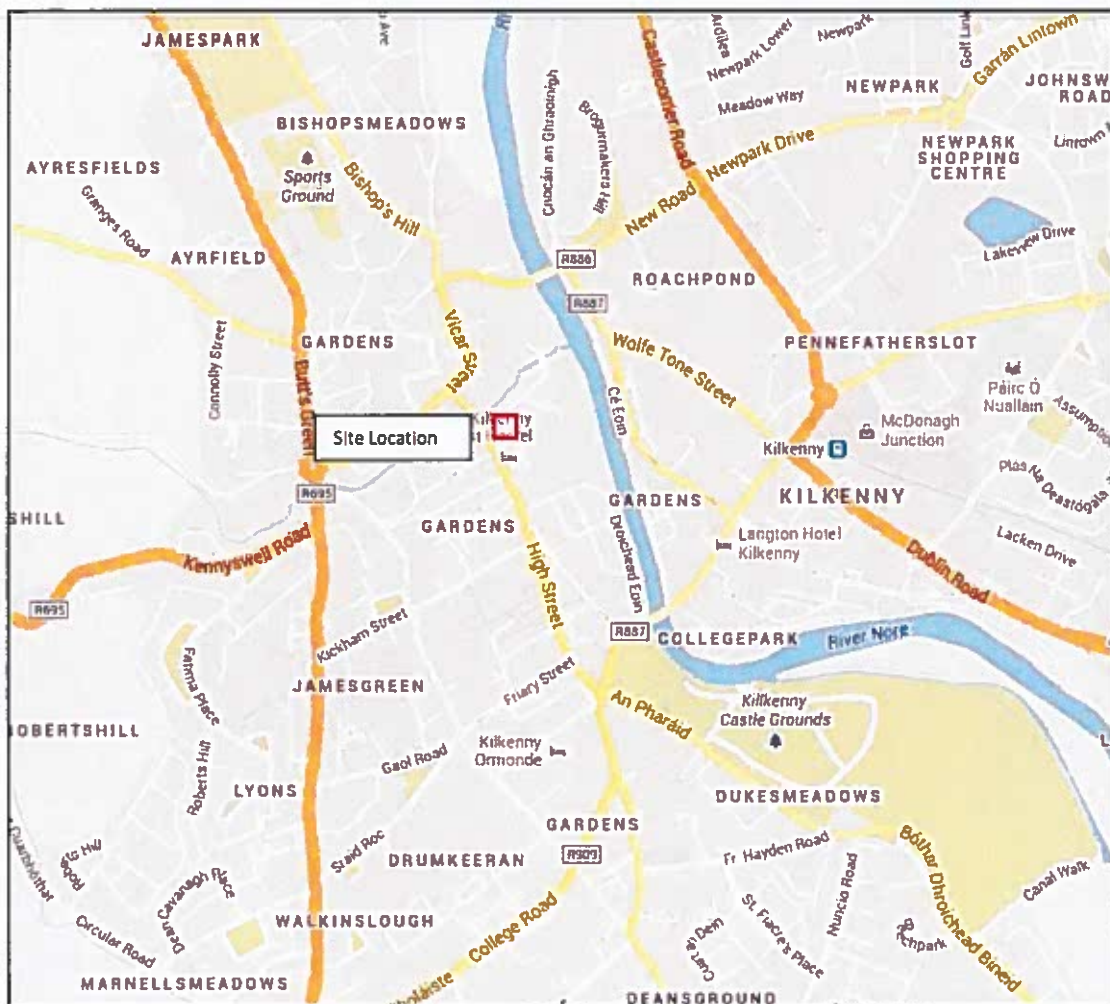


Figure 1. Site Location in Kilkenny City.

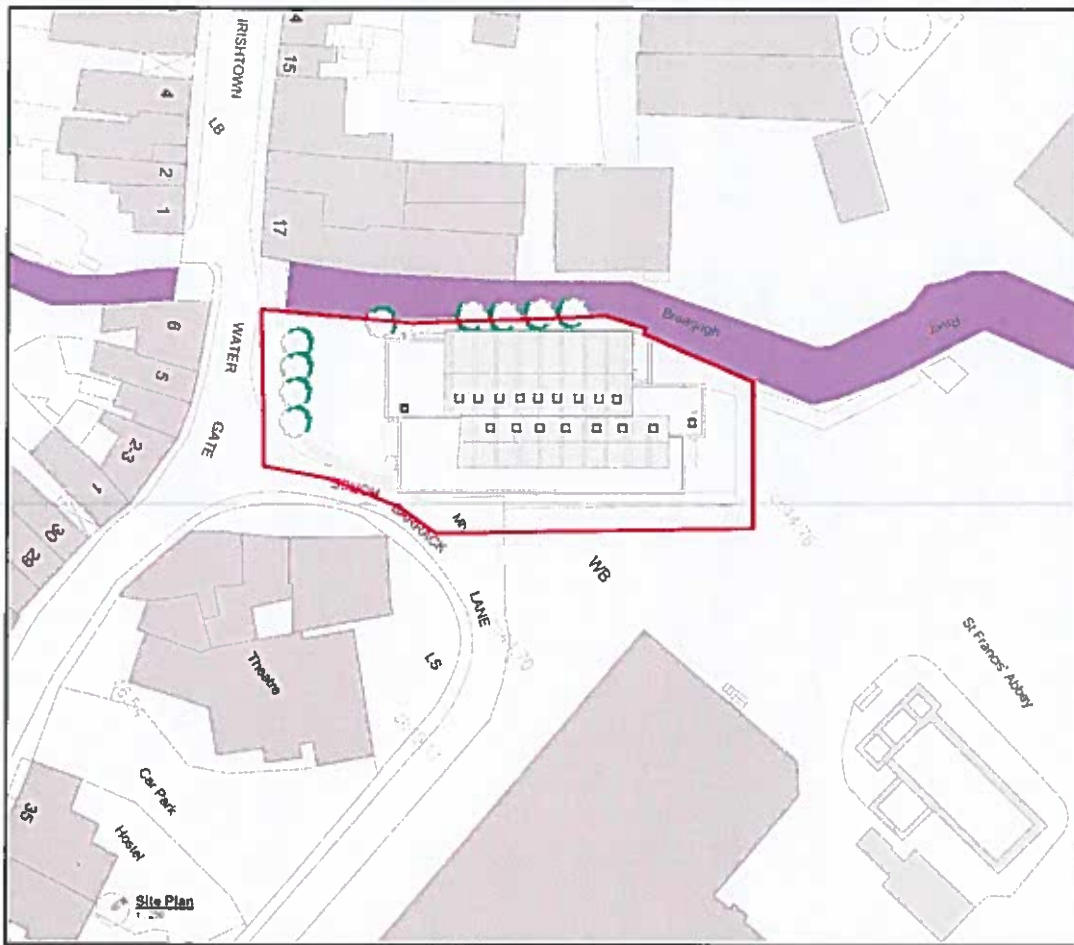


Figure 2. Site Location in detail at Horse Barrack Street.



Figure 3. Proposed works on the ground floor level of the Mayfair building.

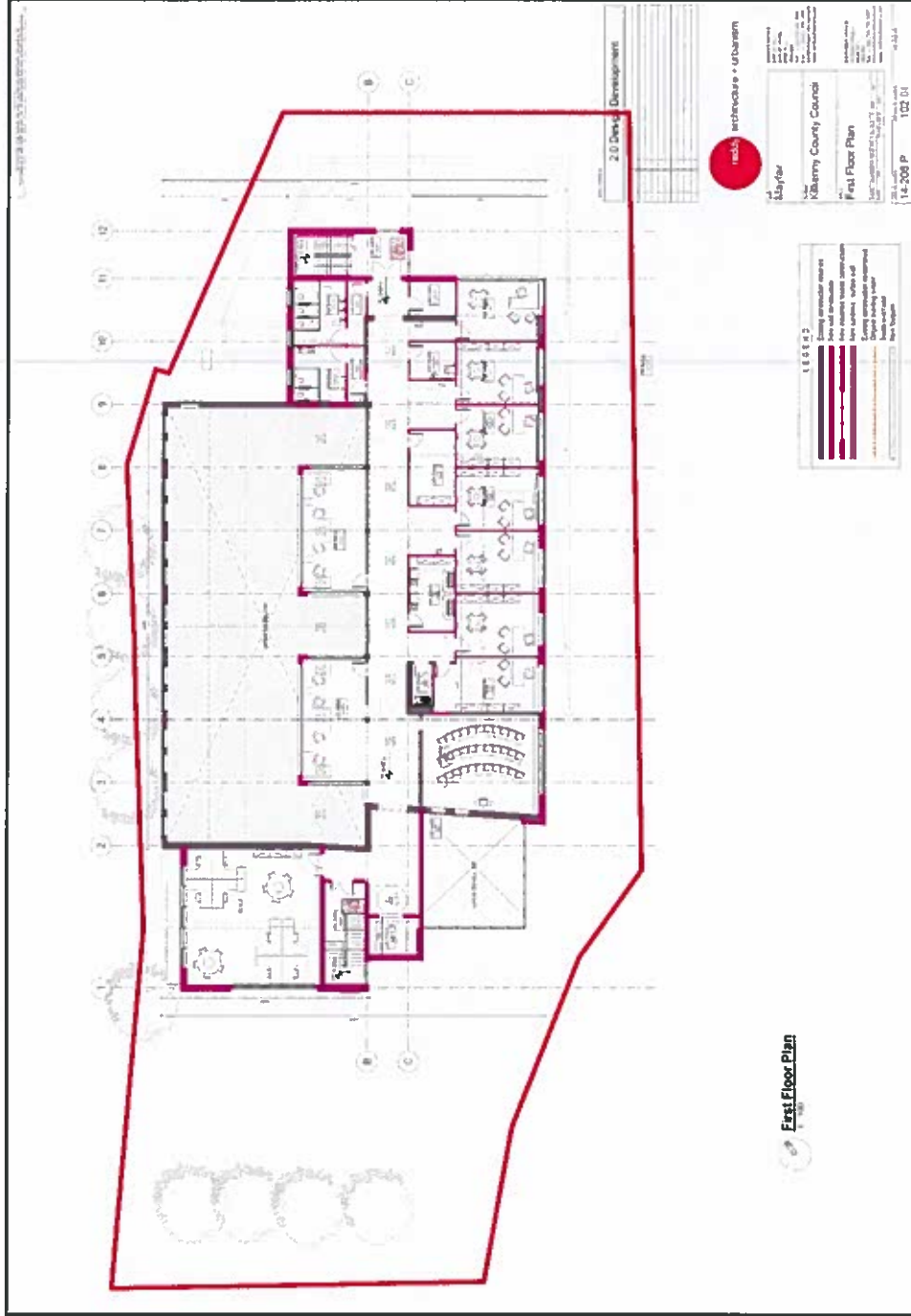


Figure 4. Proposed works on the 1st floor level of the Mayfair building.

4. Description of Existing Environment

Field surveys were conducted by Ger O'Donohoe M.Sc. of Moore Group (Environmental Services) in May 2013 and again in May 2014 with regard to the demolition of certain buildings at St. Francis's Abbey Brewery. The main habitat recorded on site includes the buildings and artificial surfaces (BL3) that make up the brewery site. The river bank to the rear or eastern boundary of the site presents the most diverse habitat with a Poplar Treeline (WL2) and planted understorey within the site boundary and the river bank outside the site boundary, see Figure 3 (BL3 refers to the majority of the site and is not indicated).

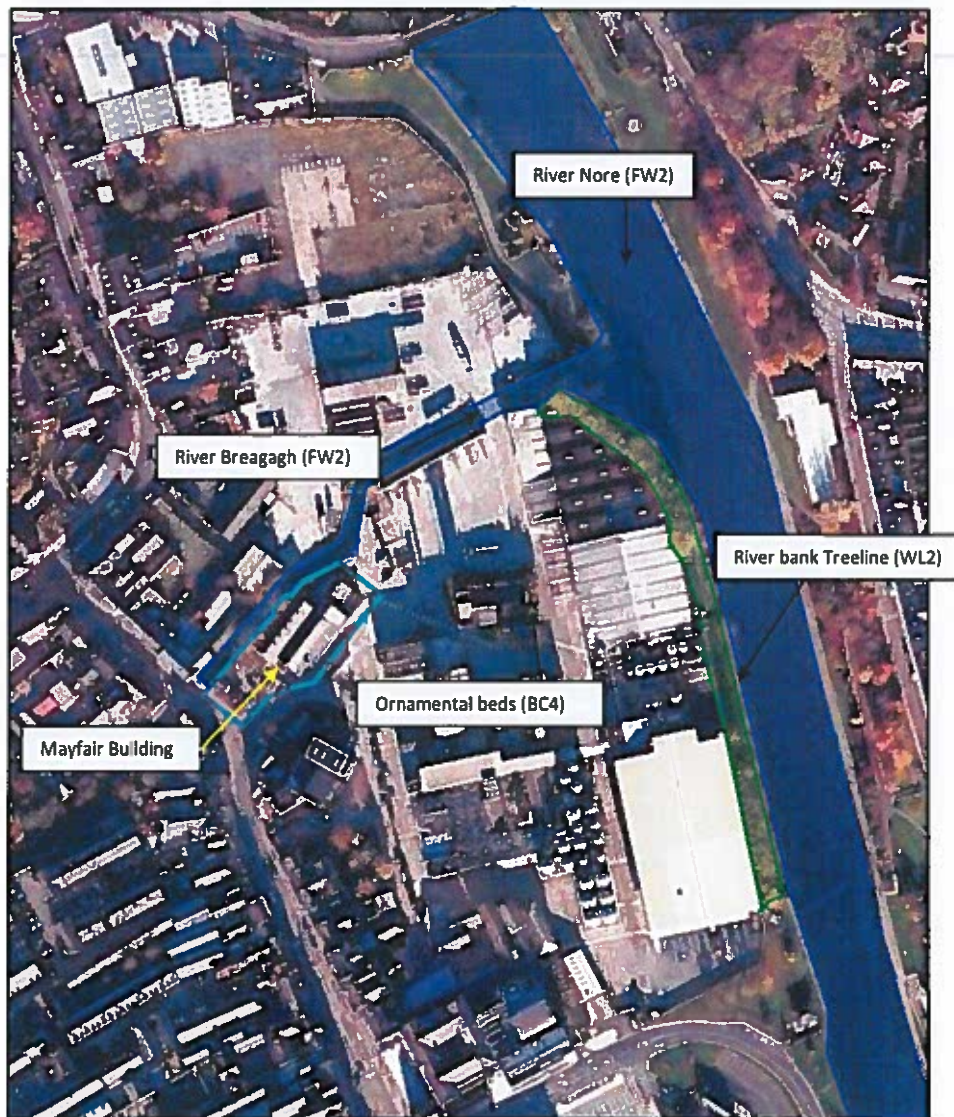


Figure 3. Showing existing habitats recorded on the site.

5. Identification of Natura 2000 Sites

5.1. Description of Natura Sites Potentially Affected

The site is located adjacent to the Breaghagh River which discharges into the River Nore which is designated as part of the River Barrow and River Nore SAC (Site Code: 002162) and River Nore SPA (Site Code: 004233)(See Figure 4 below). The Qualifying interests of the adjacent N2K sites are listed in Tables 1 and 2 below and Site Synopses are available on the NPWS metadata site.

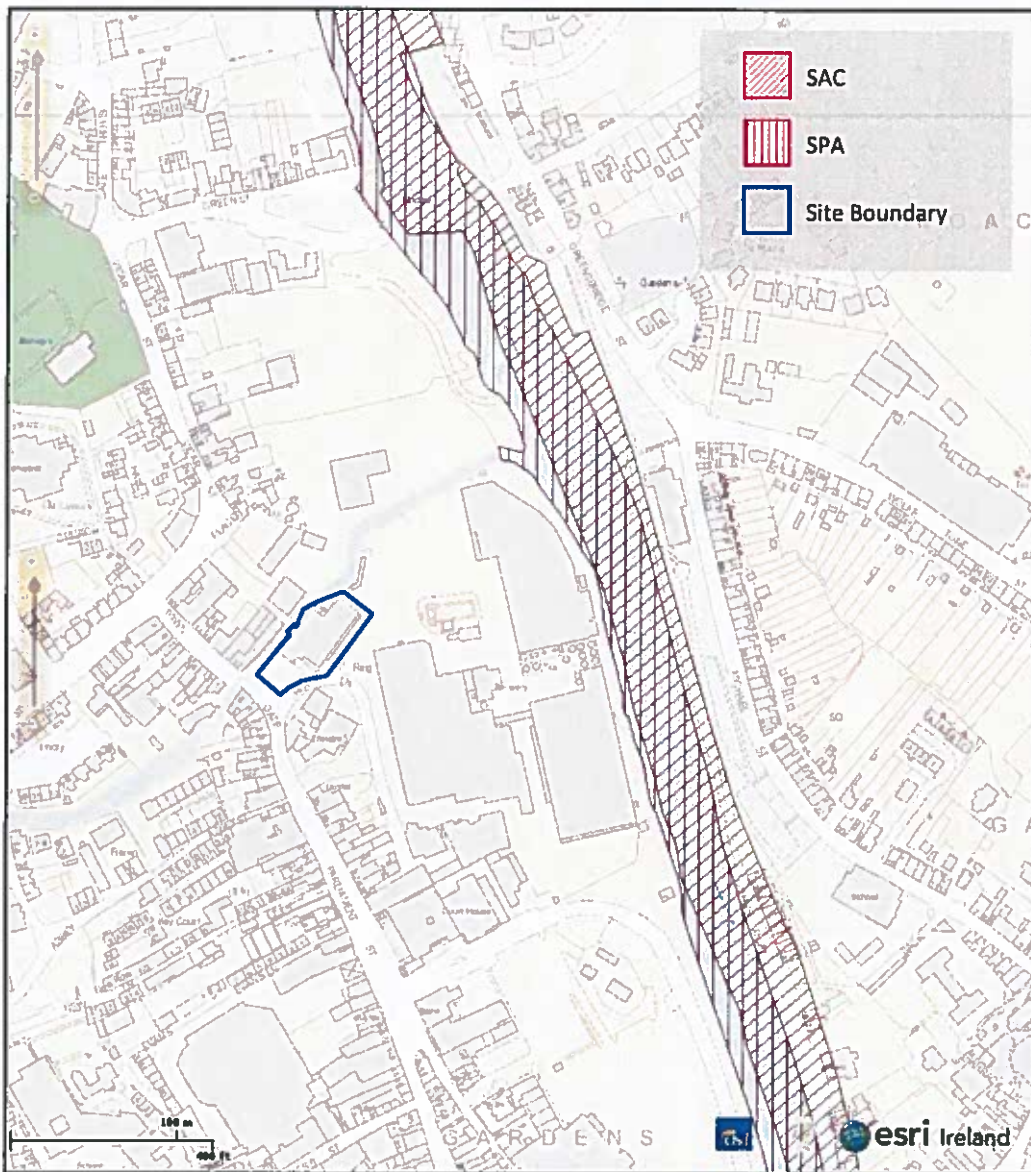


Figure 4. Site Location in relation to the River Nore Natura 2000 sites.

Table 1. Special Areas of Conservation located downstream of the Project (* indicates priority habitat).

Site Code	Site Name	Qualifying Habitats	Qualifying Species
002162	River Barrow and River Nore SAC	1130 Estuaries 1140 Mudflats and sandflats not covered by seawater at low tide 1310 Salicornia and other annuals colonizing mud and sand 1330 Atlantic saltmeadows (Glaucopuccinellietaliaamaritima) 1410 Mediterranean saltmeadows (Juncetaliaamaritimi) 3260 Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation 4030 European dry heaths 6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels 7220 * Petrifying springs with tufa formation (Cratoneurion) 91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles 91E0 * Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)	1016 Desmoulin's whorl snail <i>Vertigo moulinsiana</i> 1029 Freshwater pearl mussel <i>Margaritifera margaritifera</i> 1092 White-clawed crayfish <i>Austropotamobius pallipes</i> 1095 Sea lamprey <i>Petromyzon marinus</i> 1096 Brook lamprey <i>Lampetra planeri</i> 1099 River lamprey <i>Lampetra fluviatilis</i> 1990 Nore freshwater pearl mussel <i>Margaritifera durrovensis</i> 1103 Twaitte shad <i>Alosa fallax</i> 1106 Atlantic salmon (<i>Salmo salar</i>) (only in fresh water) 1355 Otter <i>Lutra lutra</i> 1421 Killarney fern <i>Trichomanes speciosum</i>

Table 2. Special Protection Areas located downstream of the Project.

Site Code	Site Name	Qualifying Habitats	Qualifying Species
004233	River Nore SPA		Kingfisher (Alcedo atthis) [A229]

5.2. Conservation Objectives of the Natura 2000 Sites

The following Conservation Objectives, available from the NPWS (Vers 1.0, 19th July 2011), are set out for the River Barrow and River Nore SAC:

1016 Desmoulin's whorl snail *Vertigo moulinsiana*

To maintain the favourable conservation condition of Desmoulin's whorl snail in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Distribution: occupied sites, Number - No decline. Two known sites: Borris Bridge, Co. Carlow S711503; Boston Bridge, Kilnaseer S338774, Co. Laois.

Population size: adults, Number per positive sample - At least 5 adults snails in at least 50% of samples.

Population density, Percentage positive samples - Adult snails present in at least 60% of samples per site.

Area of occupancy, Hectares - Minimum of 1ha of suitable habitat per site

Habitat quality: vegetation, Percentage of samples with suitable vegetation - 90% of samples in habitat classes I and II as defined in Moorkens & Killeen (2011).

Habitat quality: soil moisture levels, Percentage of samples with appropriate soil moisture levels - 90% of samples in moisture class 3 - 4 as defined in Moorkens & Killeen (2011).

1029 Freshwater pearl mussel *Margaritifera margaritifera*

The status of the freshwater pearl mussel (*Margaritifera margaritifera*) as a qualifying Annex II species for the River Barrow and River Nore SAC is currently under review. The outcome of this review will determine whether a site - specific conservation objective is set for this species. Please note that the Nore freshwater pearl mussel (*Margaritifera durrovensis*) remains a qualifying species for this SAC. This document contains a conservation objective for the latter species.

1092 White - clawed crayfish *Austropotamobius pallipes*

To maintain the favourable conservation condition of White - clawed crayfish in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Distribution, Occurrence - No reduction from baseline.

Population structure: recruitment, Percentage occurrence of juveniles and females with eggs - Juveniles and/or females with eggs in at least 50% of positive samples.

Negative indicator species, Occurrence - No alien crayfish species.

Disease, Occurrence - No instances of disease.

Water quality, EPA Q value - At least Q3 - 4 at all sites sampled by EPA.

Habitat quality: heterogeneity, Occurrence of positive habitat features - No decline in heterogeneity or habitat quality.

1095 Sea lamprey *Petromyzon marinus*

To restore the favourable conservation condition of Sea lamprey in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Distribution: extent of anadromy, % of river accessible - Greater than 75% of main stem length of rivers accessible from estuary.

Population structure of juveniles, Number of age/size Groups - At least three age/size groups present.

Juvenile density in fine sediment, Juveniles/m² - Juvenile density at least 1/m².

Extent and distribution of spawning habitat, m² and occurrence - No decline in extent and distribution of spawning beds.

Availability of juvenile habitat, Number of positive sites in 3rd order channels (and greater), downstream of spawning areas - More than 50% of sample sites positive.

1096 Brook lamprey *Lampetra planeri*

To restore the favourable conservation condition of Brook lamprey in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Distribution: extent of anadromy, % of river accessible - Access to all watercourses down to first order streams.

Population structure of juveniles, Number of age/size Groups - At least three age/size groups of brook/river lamprey present.

Juvenile density in fine sediment, Juveniles/m² - Mean catchment juvenile density of brook/river lamprey at least 2/m².

Extent and distribution of spawning habitat, m² and occurrence - No decline in extent and distribution of spawning beds.

Availability of juvenile habitat, Number of positive sites in 2nd order channels (and greater), downstream of spawning areas - More than 50% of sample sites positive.

1099 River lamprey *Lampetra fluviatilis*

To restore the favourable conservation condition of River lamprey in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Distribution: extent of anadromy, % of river accessible - Greater than 75% of main stem and major tributaries down to second order accessible from estuary.

Population structure of juveniles, Number of age/size Groups - At least three age/size groups of river/brook lamprey present.

Juvenile density in fine sediment, Juveniles/m² - Mean catchment juvenile density of brook/river lamprey at least 2/m².

Extent and distribution of spawning habitat, m² and occurrence - No decline in extent and distribution of spawning beds.

Availability of juvenile habitat, Number of positive sites in 2nd order channels (and greater), downstream of spawning areas - More than 50% of sample sites positive.

1103 Twaite shad *Alosa fallax*

To restore the favourable conservation condition of Twaite shad in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Distribution: extent of anadromy, % of river accessible - Greater than 75% of main stem length of rivers accessible from estuary.

Population structure: age classes, Number of age classes - More than one age class present.

Extent and distribution of spawning habitat, m² and occurrence - No decline in extent and distribution of spawning habitats.

Water quality: oxygen levels, Milligrammes per litre - No lower than 5mg/l

Spawning habitat quality: Filamentous algae; macrophytes; sediment, Occurrence - Maintain stable gravel substrate with very little fine material, free of filamentous algal (macroalgae) growth and macrophyte (rooted higher plants) growth.

1106 Atlantic salmon (*Salmo salar*) (only in fresh water)

To restore the favourable conservation condition of Salmon in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Distribution: extent of anadromy, % of river accessible - 100% of river channels down to second order accessible from estuary.

Adult spawning fish, Number - Conservation Limit (CL) for each system consistently exceeded.

Salmon fry abundance, Number of fry/5 minutes electrofishing - Maintain or exceed 0+ fry mean catchment - wide abundance threshold value. Currently set at 17 salmon fry/5 min sampling.

Out - migrating smolt abundance, Number - No significant decline.

Number and distribution of redds, Number and occurrence - No decline in number and distribution of spawning redds due to anthropogenic causes.

Water quality, EPA Q value - At least Q4 at all sites sampled by EPA.

1130 Estuaries

To maintain the favourable conservation condition of Estuaries in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Habitat area, Hectares - The permanent habitat area is stable or increasing, subject to natural processes.

Community distribution, Hectares - The following sediment communities should be maintained in a natural condition: Muddy estuarine community complex; Sand to muddy fine sand community complex; Fine sand with *Fabulina fabula* community.

Community extent, Hectares - Maintain the natural extent of the *Sabellaria alveolata* reef, subject to natural process.

1140 Mudflats and sandflats not covered by seawater at low tide

To maintain the favourable conservation condition of the Mudflats and sandflats not covered by seawater at low tide in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Habitat, area Hectares - The permanent habitat area is stable or increasing, subject to natural processes.

Community distribution, Hectares - The following sediment communities should be maintained in a natural condition: Muddy estuarine community complex; Sand to muddy fine sand community complex.

1310 *Salicornia* and other annuals colonizing mud and sand

To maintain the favourable conservation condition of *Salicornia* and other annuals colonizing mud and sand in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Habitat area, Hectares - Area stable or increasing, subject to natural processes, including erosion and succession. For the one subsite mapped: Ringville - 0.03ha.

Habitat distribution, Occurrence - No decline, subject to natural processes.

Physical structure: sediment supply, Presence/absence of physical barriers - Maintain or where necessary restore natural circulation of sediments and organic matter, without any physical obstructions.

Physical structure: flooding regime, Hectares flooded; frequency - Maintain natural tidal regime.

Physical structure: creeks and pans, Occurrence - Maintain/restore creek and pan structure, subject to natural processes, including erosion and succession.

Vegetation structure: zonation, Occurrence - Maintain range of saltmarsh habitat zonations including transitional zones, subject to natural processes including erosion and succession.

Vegetation structure: vegetation height, Centimeters - Maintain structural variation within sward.

Vegetation structure: vegetation cover, Percentage cover at a representative sample of monitoring stops - Maintain more than 90% of area outside creeks vegetated.

Vegetation composition: typical species and sub - communities, Percentage cover - Maintain the presence of species - poor communities with typical species listed in Saltmarsh Monitoring Project (McCorry & Ryle, 2009).

Vegetation structure: negative indicator species - *Spartina anglica*, Hectares - No significant expansion of common cordgrass (*Spartina anglica*), with an annual spread of less than 1% where it is already known to occur.

1330 Atlantic salt meadows (Glauco - Puccinellietalia maritimae)

To restore the favourable conservation condition of Atlantic salt meadows (*Glauco - Puccinellietalia maritimae*) in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Habitat area, Hectares - Area stable or increasing, subject to natural processes, including erosion and succession. For sub - sites mapped: Dunbrody Abbey - 1.25ha, Killowen - 2.59ha, Rochestown - 17.50ha, Ringville - 6.70ha.

Habitat distribution, Occurrence - No decline subject to natural processes.

Physical structure: sediment supply, Presence/ absence of physical barriers - Maintain natural circulation of sediments and organic matter, without any physical obstructions.

Physical structure: flooding regime, Hectares flooded; frequency - Maintain natural tidal regime.

Physical structure: creeks and pans, Occurrence - Maintain creek and pan structure, subject to natural processes, including erosion and succession.

Vegetation structure: zonation, Occurrence - Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession.

Vegetation structure: vegetation height, Centimeters - Maintain structural variation within sward.

Vegetation structure: vegetation cover, Percentage cover at a representative sample of monitoring stops - Maintain more than 90% of area outside creeks vegetated.

Vegetation composition: typical species and sub - communities, Percentage cover - Maintain the presence of species - poor communities with typical species listed in Saltmarsh Monitoring Project (McCorry and Ryle, 2009).

Vegetation structure: negative indicator species - *Spartina anglica*, Hectares - No significant expansion of common cordgrass (*Spartina anglica*), with an annual spread of less than 1% where it is already known to occur.

1355 Otter *Lutra lutra*

To restore the favourable conservation condition of Otter in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Distribution, Percentage positive survey sites - No significant decline.

Extent of terrestrial habitat, Hectares - No significant decline. Area mapped and calculated as 122.8ha above high water mark (HWM); 1136.0ha along river banks / around ponds.

Extent of marine habitat, Hectares - No significant decline. Area mapped and calculated as 857.7ha.

Extent of freshwater (river) habitat, Kilometers - No significant decline. Length mapped and calculated as 616.6km.

Extent of freshwater (lake) habitat, Hectares - No significant decline. Area mapped and calculated as 2.6ha.

Couching sites and holts, Number- No significant decline.

Fish biomass available, Kilograms - No significant decline.

1410 Mediterranean salt meadows (*Juncetalia maritimi*)

To restore the favourable conservation condition of Mediterranean salt meadows (*Juncetalia maritimi*) in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Habitat area, Hectares - Area increasing, subject to natural processes, including erosion and succession.
For sub - sites mapped: Dunbrody Abbey - 0.08ha, Rochestown - 0.04ha, Ringville - 6.70ha.

Habitat distribution, Occurrence - No decline, subject to natural processes.

Physical structure: sediment supply, Presence/absence of physical barriers - Maintain natural circulation of sediments and organic matter, without any physical obstructions.

Physical structure: flooding regime, Hectares flooded; frequency - Maintain natural tidal regime.

Physical structure: creeks and pans, Occurrence - Maintain/restore creek and pan structure, subject to natural processes, including erosion and succession.

Vegetation structure: zonation, Occurrence - Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession.

Vegetation structure: vegetation height, Centimetres - Maintain structural variation within sward.

Vegetation structure: vegetation cover, Percentage cover at a representative sample of monitoring stops - Maintain more than 90% of area outside creeks vegetated.

Vegetation composition: typical species, Percentage cover - Maintain range of subcommunities with typical species listed in Saltmarsh Monitoring Project (McCorry and Ryle, 2009).

Vegetation structure: negative indicator species - *Spartina anglica*, Hectares -No significant expansion of common cordgrass (*Spartina anglica*), with an annual spread of less than 1% where it is already known to occur.

1421 Killarney fern *Trichomanes speciosum*

To maintain the favourable conservation condition of Killarney Fern in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Distribution, Location - No decline. Three locations known, with three colonies of gametophyte and one sporophyte colony.

Population size, Number - Maintain at least three colonies of gametophyte, and at least one sporophyte colony of over 35 fronds.

Population structure: juvenile fronds, Occurrence - At least one of the locations to have a population structure comprising sporophyte, unfurling fronds, 'juvenile' sporophyte and gametophyte generations.

Habitat extent, m² - No loss of suitable habitat, such as shaded rock crevices, caves or gullies in or near to, known colonies. No loss of woodland canopy at or near to known locations.

Hydrological conditions: visible water, Occurrence - Maintain hydrological conditions at the locations so that all colonies are in dripping or damp seeping habitats, and water is visible at all locations.

Hydrological conditions: humidity, Number of dessicated fronds - No increase. Presence of dessicated sporophyte fronds or gametophyte mats indicates conditions are unsuitable.

Light levels: shading, Percentage - No changes due to anthropogenic impacts.

Invasive species, Occurrence - Absent or under control.

1990 Nore freshwater pearl mussel *Margaritifera durrovensis*

To restore the favourable conservation condition of the Nore freshwater pearl mussel in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Distribution, Kilometres - Maintain at 15.5km.

Population size: adult mussels, Number - Restore to 5,000 adult mussels.

Population structure: recruitment, Percentage per size class - Restore to at least 20% of population no more than 65mm in length; and at least 5% of population no more than 30mm in length.

Population structure: adult mortality, Percentage- No more than 5% decline from previous number of live adults counted; dead shells less than 1% of the adult population and scattered in distribution.

Habitat extent, Kilometres - Restore suitable habitat in length of river corresponding to distribution target (15.5km; see map 7) and any additional stretches necessary for salmonid spawning.

Water quality: Macroinvertebrates and phytobenthos(diatoms), Ecological quality ratio (EQR) - Restore water qualitymacroinvertebrates: EQR greater than 0.90; phytobenthos: EQR greater than 0.93.

Substratum quality: Filamentous algae (macroalgae), macrophytes (rooted higher plants), Percentage - Restore substratum qualityfilamentous algae: absent or trace (<5%); macrophytes: absent or trace (<5%).

Substratum quality: sediment, Occurrence - Restore substratum quality stable cobble and gravel substrate with very little fine material; no artificially elevated levels of fine sediment.

Substratum quality: oxygen availability, Redox potential - Restore to no more than 20% decline from water column to 5cm depth in substrate.

Hydrological regime: flow variability, Metres per second - Restore appropriate hydrological regimes.

Host fish, Number - Maintain sufficient juvenile salmonids to host glochidial larvae.

3260 Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche - Batrachion vegetation

To maintain the favourable conservation condition of Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche - Batrachion vegetation in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Habitat distribution, Occurrence - No decline, subject to natural processes.

Habitat area, Kilometres - Area stable or increasing, subject to natural processes.

Hydrological regime: river flow, Metres per second - Maintain appropriate hydrological regimes.

Hydrological regime: groundwater discharge, Metres per second - The groundwater flow to the habitat should be permanent and sufficient to maintain tufa formation.

Substratum composition: particle size range, Millimetres- The substratum should be dominated by large particles and free from fine sediments.

Water chemistry: minerals, Milligrammes per litre - The groundwater and surface water should have sufficient concentrations of minerals to allow deposition and persistence of tufa deposits.

Water quality: suspended sediment, Milligrammes per litre - The concentration of suspended solids in the water column should be sufficiently low to prevent excessive deposition of fine sediments.

Water quality: nutrients, Milligrammes per litre - The concentration of nutrients in the water column should be sufficiently low to prevent changes in species composition or habitat condition.

Vegetation composition: typical species, Occurrence - Typical species of the relevant habitat sub - type should be present and in good condition.

Floodplain connectivity, Area - The area of active floodplain at and upstream of the habitat should be maintained.

4030 European dry heaths

To maintain the favourable conservation condition of European dry heaths in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Habitat distribution, Occurrence - No decline from current habitat distribution, subject to natural processes.

Habitat area, Hectares - Area stable or increasing, subject to natural processes. Habitat area is not known but estimated as less than 400ha of the area of the SAC, occurring in dispersed locations.

Physical structure: free - draining, acid, low nutrient soil; rock outcrops, Occurrence - No significant change in soil nutrient status, subject to natural processes. No increase or decrease in area of natural rock outcrop

Vegetation structure: subshrub indicator species, Percentage cover - Cover of characteristic subshrub indicator species at least 25%: gorse (*Ulex europaeus*) and where rocky outcrops occur bilberry (*Vaccinium myrtillus*) and woodrush (*Luzula sylvatica*). Some rock outcrops support English stonecrop (*Sedum anglicum*), sheep's bit (*Jasione montana*) and wild madder (*Rubia peregrina*) as well as important moss and lichen assemblages.

Vegetation structure: senescent gorse, Percentage cover - Cover of senescent gorse less than 50%.

Vegetation structure: browsing, Percentage cover - Long shoots of bilberry with signs of browsing collectively less than 33%.

Vegetation structure: native trees and shrubs, Percentage cover - Cover of scattered native trees and shrub less than 20%.

Vegetation composition: positive indicator species, Number - Number of positive indicator species at least 2 e.g. gorse and associated dry heath/ acid grassland flora.

Vegetation structure: positive indicator species, Percentage cover - Cover of positive indicator species at least 60%. This should include plant species characteristic of dry heath in this SAC including gorse, bilberry and associated acid grassland flora.

Vegetation composition: bryophyte and non - crustose lichen species, Number - Number of bryophyte or noncrustose lichen species present at least 2.

Vegetation composition: bracken (*Pteridium aquilinum*), Percentage cover - Cover of bracken less than 10% - however see 'Notes'.

Vegetation structure: weedy negative indicator species, Percentage cover - Cover of agricultural weed species (negative indicator species) less than 1%.

Vegetation composition: nonnative species, Percentage cover - Cover of non - native species less than 1%.

Vegetation composition: rare/scarce heath species, Location, area and number - No decline in distribution or population sizes of rare, threatened or scarce species, including Greater Broomrape (*Orobanchaceae rapum - genistae*) and the legally protected clustered clover (*Trifolium glomeratum*).

Vegetation structure: disturbed bare ground, Percentage cover - Cover of disturbed bare ground less than 10% (but if peat soil less than 5%).

Vegetation structure: burning, Occurrence - No signs of burning within sensitive areas.

6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels

To maintain the favourable conservation condition of Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Habitat distribution, Occurrence - No decline, subject to natural processes.

Habitat area, Hectares - Area stable or increasing, subject to natural processes

Hydrological regime: Flooding depth/height of water table, Metres - Maintain appropriate hydrological regimes.

Vegetation structure: sward height, Centimetres - 30 - 70% of sward is between 40 and 150cm in height.

Vegetation composition: broadleaf herb: grass ratio, Percentage - Broadleaf herb component of vegetation between 40 and 90%.

Vegetation composition: typical species, Number - At least 5 positive indicator species present.

Vegetation composition: negative indicator species, Occurrence - Negative indicator species, particularly non - native invasive species, absent or under control - NB Indian balsam (*Impatiens glandulifera*), monkeyflower (*Mimulus guttatus*), Japanese knotweed (*Fallopia japonica*) and giant hogweed (*Heracleum mantegazzianum*).

7220 * Petrifying springs with tufa formation (Cratoneurion)

To maintain the favourable conservation condition of Petrifying springs with tufa formation (Cratoneurion) in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Habitat area, Square metres - Area stable or increasing, subject to natural processes.

Habitat distribution, Occurrence - No decline.

Hydrological regime: height of water table; water flow, Metres; metres per second - Maintain appropriate hydrological regimes.

Water quality, Water chemistry measures - Maintain oligotrophic and calcareous conditions.

Vegetation composition: typical species, Occurrence - Maintain typical species.

91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles

To restore the favourable conservation condition of Old oak woodland with Ilex and Blechnum in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Habitat area, Hectares - Area stable or increasing, subject to natural processes, at least 85.08ha for sub - sites surveyed.

Habitat distribution, Occurrence - No decline.

Woodland size, Hectares - Area stable of increasing. Where topographically possible, "large" woods at least 25ha in size and "small" woods at least 3ha in size.

Woodland structure: cover and height, Percentage and metres - Diverse structure with a relatively closed canopy containing mature trees; subcanopy layer with semimature trees and shrubs; and well - developed herb layer

Woodland structure: community diversity and extent, Hectares - Maintain diversity and extent of community types

Woodland structure: natural regeneration, Seedling:sapling:pole ratio - Seedlings, saplings and pole age - classes occur in adequate proportions to ensure survival of woodland canopy.

Woodland structure: dead wood, m³ per hectare; number per hectare - At least 30m³/ha of fallen timber greater than 10cm diameter; 30 snags/ha; both categories should include stems greater than 40cm diameter.

Woodland structure: veteran trees, Number per hectare - No decline.

Woodland structure: indicators of local distinctiveness, Occurrence - No decline.

Vegetation composition: native tree cover, Percentage - No decline. Native tree cover not less than 95%

Vegetation composition: typical species, Occurrence - A variety of typical native species present, depending on woodland type, including oak (*Quercus petraea*) and birch (*Betula pubescens*).

Vegetation composition: negative indicator species, Occurrence - Negative indicator species, particularly non - native invasive species, absent or under control.

91E0 *Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (Alno - Padion, Alnion incanae, Salicion albae)

To restore the favourable conservation condition of Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (Alno - Padion, Alnion incanae, Salicion albae) in the River Barrow and River Nore SAC, which is defined by the following list of attributes and targets:

Habitat area, Hectares - Area stable or increasing, subject to natural processes, at least 181.54ha for sites surveyed.

Habitat distribution, Occurrence - No decline.

Woodland size, Hectares - Area stable or increasing. Where topographically possible, "large" woods at least 25ha in size and "small" woods at least 3ha in size.

Woodland structure: cover and height, Percentage and metres - Diverse structure with a relatively closed canopy containing mature trees; subcanopy layer with semimature trees and shrubs; and well - developed herb layer.

Woodland structure: community diversity and extent, Hectares - Maintain diversity and extent of community types.

Woodland structure: natural regeneration, Seedling: sapling: pole ratio - Seedlings, saplings and pole age-classes occur in adequate proportions to ensure survival of woodland canopy.

Hydrological regime: flooding depth/height of water table, Metres - Appropriate hydrological regime necessary for maintenance of alluvial vegetation.

Woodland structure: dead wood, m³ per hectare; number per hectare - At least 30m³/ha of fallen timber greater than 10cm diameter; 30 snags/ha; both categories should include stems greater than 40cm diameter (greater than 20cm diameter in the case of alder).

Woodland structure: veteran trees, Number per hectare - No decline.

Woodland structure: indicators of local distinctiveness, Occurrence - No decline.

Vegetation composition: native tree cover, Percentage - No decline. Native tree cover not less than 95%.

Vegetation composition: typical species, Occurrence - A variety of typical native species present, depending on woodland type, including alder (*Alnus glutinosa*), willows (*Salix* spp) and, locally, oak (*Quercus robur*) and ash (*Fraxinus excelsior*).

Vegetation composition: negative indicator species, Occurrence - Negative indicator species, particularly non - native invasive species, absent or under control.

The Generic Conservation Objective for SPAs is:

To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for the SPA. In this case Kingfisher.

5.3. Assessment Criteria

5.3.1. Examples of Direct, Indirect or Secondary Impacts

In order to identify those sites that could be potentially affected, it is necessary to describe the Natura 2000 site in the context of why it has been designated i.e. in terms of its Qualifying Interests and the environmental and ecological conditions that maintain the condition of these features. The underpinning conditions that are required to maintain the 'health' of these features are listed in Table 3 below.

Table 3. Qualifying Interests and Key environmental conditions supporting site integrity.

Qualifying Interests	Key environmental conditions supporting site integrity	Current Threats to Qualifying Interests
* Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno - Padion, Alnion <i>incanae</i> , <i>Salicion albae</i>)	Riparian/lacustrine habitat prone to flooding.	Grazing, Invasive Species, Drainage, Planting of nonnative conifers, felling of native tree species.
Atlantic Salmon <i>Salmo salar</i>	Surface water dependent Highly sensitive to hydrological change	Numerous threats impact upon this species. Some of these include: cultivation, pesticides; fertilization; pollution; water pollution; biocenotic evolution; accumulation of organic material; eutrophication; over-fishing; forest-related pressures; parasites.
Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)	Marine and groundwater dependent. Medium sensitivity to hydrological change. Changes in salinity and tidal regime. Overgrazing, erosion and	Overgrazing; erosion; invasive species, particularly common cordgrass (<i>Spartina anglica</i>); infilling and reclamation.

	accretion.	
Brook Lamprey <i>Lampetra planeri</i>	Surface water dependent Highly sensitive to hydrological change.	Channel maintenance, barriers, passage obstruction, gross pollution and specific pollutants.
Desmoulin's whorl snail <i>Vertigo moulinsiana</i>	Stable wetland water table. Emergent vegetation. Groundwater supply.	Climate Change, Flooding, Urbanisation (Habitat Encroachment, Pesticides, Fertilised, Grazing, Undergrazing, Afforestation, Stock Feeding, Burning, Peat Extraction, Communications Networks, Paths & Tracks, Walking/horse riding & non-motorised vehicles, Water Pollution, Landfill, Drainage, Modifying structures of inland watercourses.
Estuaries	Surface and marine water dependent. Low sensitivity to hydrological changes. Aquaculture, fishing and pollution.	Aquaculture, fishing, dumping of wastes and water pollution.
European dry heaths	Dry siliceous heaths occur on a range of slopes, in both upland and lowland areas, though most usually on slopes of 5-20° or more, often on upper slopes of hills and mountains, and are usually reported as being concentrated towards the drier south and east of the country.	Overgrazing, Abandonment of pastoral systems, General Forestry management, Forestry planting, Burning, Fertilisation, Agricultural improvement, Sand and gravel extraction
Freshwater Pearl Mussel <i>Margaritifera margaritifera</i>	Surface water dependent Highly sensitive to hydrological change Very highly sensitive to pollution.	Poor substrate quality due to increased growth of algal and macrophyte vegetation as a result of severe nutrient enrichment, as well as physical siltation.
Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels	Habitats are formed on gleyed soils, rich in nutrients, sand, silty and sand-silty ones with a high ground water level. Usually these nitrophilous communities are located in the form of the narrow strips near riverbeds and channels and occupy a small area.	Change of hydrological regime, adjustment of river channels, expansion of neophyte species, farming.
Killarney fern <i>Trichomanes speciosum</i>	Sensitive to desiccation and are not adapted to reduce or control water loss.	Human disturbance, Grazing, Woodland clearance, Natural processes such as wind felling of trees, competition from other

		plants, unusual weather conditions such as a prolonged frost or drought, and rock falls, Modifications to hydrology, Water pollution by nitrogenous waste,
Kingfisher <i>Alcedo atthis</i>	Marine/freshwater food availability. Undisturbed soft substrate riparian nest sites. Regularity of extreme weather. Water quality.	Disturbance from riverside recreation, loss of nest sites due to bankside interference. Loss of riparian scrub and woodland.
None freshwater pearl mussel <i>Margaritifera durrovensis</i>	Surface water dependent Highly sensitive to hydrological change Very highly sensitive to pollution.	Poor substrate quality due to increased growth of algal and macrophyte vegetation as a result of severe nutrient enrichment, as well as physical siltation.
Mediterranean salt meadows (<i>Juncetalia maritimi</i>)	Marine and groundwater dependent. Sensitivity to hydrological change. Changes in salinity and tidal regime. Overgrazing, erosion and accretion	Overgrazing; erosion; invasive species, particularly common cordgrass (<i>Spartina anglica</i>); infilling and reclamation.
Mudflats and sandflats not covered by seawater at low tide	Surface and marine water dependent. Low sensitivity to hydrological changes. Aquaculture, fishing and pollution.	Aquaculture, fishing, dumping of wastes and water pollution.
Old sessile oak woods with Ilex and Blechnum in the British Isles	Changes in management. Changes in nutrient or base status. Introduction of alien species.	The introduction of alien species; sub-optimal grazing patterns; general forestry management; increases in urbanisation and human habitation adjacent to oak woodlands; and the construction of communication networks through the woodland.
Otter (<i>Lutra lutra</i>)	Prey availability. Water Quality. Riparian vegetation for breeding sites. Unhindered passage along waterways.	Decrease in water quality: Use of pesticides; fertilization; vegetation removal; professional fishing (including lobster pots and fyke nets); hunting; poisoning; sand and gravel extraction; mechanical removal of peat; urbanized areas; human habitation; continuous urbanization; drainage; management of aquatic and bank vegetation for drainage purposes; ; and canalization or modifying structures of inland water course.
* Petrifying springs with tufa formation	Groundwater dependent. Highly sensitive to hydrological changes. Changes in	Peat or turf cutting; arterial drainage; local drainage; water abstraction and

(Cratoneurion)	nutrient or base status.	agricultural reclamation.
River Lamprey (<i>Lampetra fluviatilis</i>)	Riverine habitat. Water quality. Riverbed breeding gravels and silt nursery substrate. Unhindered migratory channels.	Obstructions to movement; gross pollution; and specific pollutants.
Salicornia and other annuals colonizing mud and sand	Marine and groundwater dependent. Medium sensitivity to hydrological change. Changes in salinity and tidal regime. Infilling, reclamation, invasive species.	Invasive Species; erosion and accretion.
Sea Lamprey <i>Petromyzon marinus</i>	Surface water dependent Highly sensitive to hydrological change.	Obstructions to movement; gross pollution; and specific pollutants.
Salicornia and other annuals colonizing mud and sand	Marine and groundwater dependent. Medium sensitivity to hydrological change. Changes in salinity and tidal regime. Infilling, reclamation, invasive species.	Invasive Species; erosion and accretion.
Twaite shad <i>Alosa fallax</i>	Surface water dependent Sensitive to hydrological change	Threats include: pesticides; fertilization; pollution; water pollution; accumulation of organic material; eutrophication; forest-related pressures.
Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche - Batrachion vegetation	Surface and groundwater dependent. Highly sensitive to hydrological changes. Highly sensitive to pollution.	Eutrophication; overgrazing, excessive fertilisation; afforestation; and the introduction of invasive alien species.
White-clawed crayfish <i>Austropotamobius pallipes</i>	Surface water dependent. Highly sensitive to hydrological change, Very highly sensitive to pollution.	Introduction of diseases transmitted by introduced American crayfish.

5.3.2. Ecological Network Supporting Natura 2000 Sites

An analysis of the proposed Natural Heritage Areas and designated Natural Heritage Areas in terms of their role in supporting the species using Natura 2000 sites was undertaken. It was assumed that these supporting roles mainly related to mobile fauna such as mammals and birds which may use pNHAs and NHAs as “stepping stones” between Natura 2000 sites.

Article 10 of the Habitats Directive and the Habitats Regulations 2011 place a high degree of importance on such non-Natura 2000 areas as features that connect the Natura 2000 network. Features such as ponds, woodlands and important hedgerows were taken into account during the rest of the AA process.

There are two proposed Natural Heritage Areas within 5 km of the project site, namely; Newpark Marsh (000845) and Lough Macask (001914). However, these sites have no biological connectivity with the project site.

6. Identification of Potential Impacts & Assessment of Significance

6.1. Potential Impacts

This section uses the information collected on the sensitivity of each Natura 2000 site and describes any likely significant effects of implementation of the Project.

There will be no direct impacts on the River Nore SAC or SPA habitats or species of conservation concern.

Having established that there would be no direct impacts the assessment considers the potential for indirect impacts.

The species for which the River Nore is designated including Salmon, Shad, Otter and Lamprey which occur downstream require a high degree of water quality. Therefore any impacts that could affect the water quality of the river need to be avoided including potentially elevated suspended solids and pollution from hydrocarbons or any other polluting substances that would decrease oxygen levels or cause eutrophication or in the worst case mortality to those species.

A worst case scenario would possibly occur if there were significant impacts on the River Nore as a result of a decrease in water quality which would affect the aquatic species which depend on a good water quality status. However, given the relatively small scale and type of work to be undertaken, the potential for indirect impacts is unlikely.

Standard Best Practice Construction measures will be employed to ensure that no pollutant construction materials such as sand, cement, concrete or waste water would enter the Breagagh River during the construction phase.

The likely significant effects of the Project are presented In Table 4 to follow, both in isolation and potentially in combination with other plans and projects.

6.2. Assessment of Potential Cumulative Effects

Cumulative impacts or effects are changes in the environment that result from numerous human-induced, small-scale alterations. Cumulative impacts can be thought of as occurring through two main pathways: first, through persistent additions or losses of the same materials or resource, and second, through the compounding effects as a result of the coming together of two or more effects.

As part of the Screening for an Appropriate Assessment, in addition to the proposed works, other relevant projects and plans in the region must also be considered at this stage. This step aims to identify at this early stage any possible significant in-combination or cumulative effects / impacts of the proposed development with other such plans and projects on the Natura 2000 sites.

There is one other significant project, namely, the Central Access Scheme for the City of Kilkenny proposed for the general study area. An EIS for the scheme was completed in 2011 and a Natura Impact Statement produced for the scheme. The Natura Impact Statement outlines a number of mitigation measures that need to be employed during the construction phase and the operation phase of the scheme. The NIS established that if those mitigation measures are employed; there should be no significant impact on the River Nore.

Any new applications for the project area will be assessed on a case by case basis by Kilkenny County Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

Table 4. Outlining the potential impacts in the absence of mitigation of the Project.

Site	Potential Direct Impacts e.g. Habitat Loss	Potential Indirect Impacts e.g. alteration to hydrological regime	Surface or Groundwater Contamination	Disturbance to Protected Species (Habitats Directive Annex II & IV)	Stage 2 AA Required
002162 River Barrow and River Nore SAC	None	None	None	None	No
004233 River Nore SPA	None	None	None	None	No

7. Screening Statement

There would be no direct impacts on the River Barrow and River Nore SAC or on the River Nore SPA. The potential for indirect impacts was ruled out given the relatively small scale and type of works to be carried out.

The conclusion of this Screening Report is that there would be no significant impacts on the Qualifying interests or Conservation Objectives of the Natura 2000 sites considered in this assessment.

A finding of no significant effects report is presented in Appendix A in accordance with the EU Commission's methodological guidance (European Commission, 2001).

8. References

Crowe, O. (2005) Ireland's Wetlands and their Waterbirds; Status and Distribution. Birdwatch Ireland.

Department of the Environment, Heritage and Local Government (2010) Guidance on Appropriate Assessment of Plans and Projects in Ireland (as amended February 2010).

European Commission (2000) Managing Natura 2000 sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.

European Commission Environment DG (2001) 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 92/43EEC. European Commission, Brussels.

European Commission (2007) Guidance document on Article 6(4) of the 'Habitats' Directive '92/43/EEC: Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interests, compensatory measures, overall coherence and opinion of the Commission. European Commission, Brussels.

Murphy, D.F. (2004) Requirements for the Protection of Fisheries Habitat During Construction and Development Works at River Sites. Eastern Regional Fisheries Board, Dublin.

NPWS (2006) River Barrow and River Nore SAC [002162] Site Synopsis. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

NPWS (2008) The Status of EU Protected Habitats and Species in Ireland. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government, Dublin.

NPWS (2010) River Nore SPA [004233] Site Synopsis. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

NPWS (2011) Conservation Objectives: River Barrow and River Nore SAC 002162. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

NPWS (2011) Conservation objectives for River Nore SPA [004233]. Generic Version 4.0. Department of Arts, Heritage & the Gaeltacht.

Appendix A
FINDING OF NO SIGNIFICANT EFFECTS REPORT

Finding no significant effects report matrix

Name of project or plan

Proposed renovation and extension of the Mayfair Building at Horse Barrack Lane, Kilkenny.

Name and location of the Natura 2000 site(s)

The site is located adjacent to the Breaghagh River which discharges into the River Nore which is designated as part of the River Barrow and River Nore SAC (Site Code: 002162) and River Nore SPA (Site Code: 004233).

Description of the project or plan

The proposed works involve the renovation of internal sections of the Mayfair Building and construction of a 445 m² two storey extension to the west, south and east sides of the Mayfair Building and the replacement of the existing public carpark with a pedestrian only public square at Irishtown, Kilkenny, with a site area of c.0.193 hectares.

Is the project or plan directly connected with or necessary to the management of the site(s)

No

Are there other projects or plans that together with the projects or plan being assessed could affect the site

There is one other significant project, namely, the Central Access Scheme for the City of Kilkenny proposed for the general study area. An EIS for the scheme was completed in 2011 and a Natura Impact Statement produced for the scheme. The Natura Impact Statement outlines a number of mitigation measures that need to be employed during the construction phase and the operation phase of the scheme. If those mitigation measures are employed, there should be no significant impact on the River Nore and there would therefore be no in combination impacts with regard to the proposed project.

Any new applications for the project area will be assessed on a case by case basis by Kilkenny County Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

The assessment of significance of effects

Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.

There will be no direct impacts on the River Nore SAC or SPA habitats or species of conservation concern.

Having established that there would be no direct impacts the assessment considers the potential for indirect impacts.

The species for which the River Nore is designated including Salmon, Shad, Otter and Lamprey which occur downstream require a high degree of water quality. Therefore any impacts that could affect the water quality of the river need to be avoided including potentially elevated suspended solids and pollution from hydrocarbons or any other polluting substances that would decrease oxygen levels or cause eutrophication or in the worst case mortality to those species.

A worst case scenario would possibly occur if there were significant impacts on the River Nore as a result of a decrease in water quality which would affect the aquatic species which depend on a good water quality status. .

Explain why these effects are not considered significant.

Given the relatively small scale and type of work to be undertaken, the potential for indirect impacts is unlikely. Standard Best Practice Construction measures will be employed to ensure that no pollutant construction materials such as sand, cement, concrete or waste water would enter the Breagh River during the construction phase.

List of agencies consulted: provide contact name and telephone or e-mail address

A scoping letter was sent to the DAU – manager.dau@ahg.gov.ie

Response to consultation

A response with comments will be issued if required.

Data collected to carry out the assessment

Who carried out the assessment

Moore Group Environmental Services.

Sources of data

NPWS database of designated sites at www.npws.ie

National Biodiversity Data Centre database <http://maps.biodiversityireland.ie>

Level of assessment completed

Desktop Assessment.

Where can the full results of the assessment be accessed and viewed

Kilkenny County Council Planning Section.

Overall Conclusions

There would be no direct impacts on the River Barrow and River Nore SAC or on the River Nore SPA. The potential for indirect impacts was ruled out given the relatively small scale and type of works to be carried out.

The conclusion of this Screening Report is that once Standard Best Practice measures to prevent pollution of the River Breaghagh are employed during the construction phase, there would be no significant impacts on the Qualifying interests or Conservation Objectives of the Natura 2000 sites considered in this assessment.

Habitats Directive Project Screening Assessment

Table 1: Project Details

Development Consent Type	PART VIII Planning & Development Regulation
Development Location	Irishtown Kilkenny City
Planning File Ref	IR 378
Description of the project	Redevelopment of Mayfair Bull Room

Table 2: Identification of Natura 2000 sites (SACs and SPAs) which may be impacted by the proposed development

Please answer the following five questions in order to determine whether there are any Natura 2000 sites which could potentially be impacted by the proposed development. If the answer to all of these questions is no, significant impacts can be ruled out for habitats and bird species. No further assessment is required. Please refer to tables 3 and 4 where the answer to any of these questions is yes.

		Y/N
1	ONE- OFF HOUSE /SMALL EXTENSION/ ALTERATION TO EXISTING BUILDING	
1a	<p>Is the development a one- off house/small extension/alteration to existing building within an SAC/SPA or within 100m of an SAC/SPA and likely to discharge pollutants or nutrients of a significant nature and amount to surface water within catchments of and SAC/ SPA as part of its construction or operational phase (including the installation of waste water treatment systems; percolation areas; septic tanks within SAC/SPA or very close proximity)?</p> <p>If the answer to the above question is: - no, then no appropriate assessment required - yes, then an appropriate assessment is required - not sure, then an appropriate assessment is required in accordance with the precautionary principle</p>	N
2	DEVELOPMENTS OTHER THAN THOSE DESCRIBED IN 1 ABOVE	
2a	<p>Impacts On Freshwater Habitats Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats, or in the catchment of same and does the development propose to discharge water to or abstract water from the habitat?</p> <p>Sites to consider: Lower River Suir, River Barrow, River Nore.</p> <p>Habitats to consider: Alluvial Wet Woodland, (Lower River Suir), Dry Heath (some steep slopes along River Barrow and its tributaries) Rivers, Streams, Lakes and Lagoons, Old Oak Woodland, floating river vegetation,</p> <p>Species to consider: River Lamprey, Brook Lamprey, Freshwater Pearls Mussel, Nore Freshwater Pearl Mussel, Crayfish, Twalle Shad, Atlantic Salmon, Otter, Vertigo Moulinsiana,</p>	N
2b	<p>Impacts On Wetland Habitats Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats, or likely to discharge water to or abstract water from the wetland?</p> <p>Sites to consider: Hugginstown Fen, Galmoy Fen, The Loughans, Flood Plain wetlands</p> <p>Habitats to consider: Bogs, Alkaline Fans (Hugginstown and Galmoy), Turloughs (The Loughans)</p>	N
2c	Impacts on Intertidal and Marine Habitats	

		Y/N
	<p><i>Is the development located within a Special Area of Conservation whose qualifying interests include intertidal and marine habitats and species, or within the catchment of same and likely to discharge water to or abstract water from the habitats.</i></p> <p>Sites to consider: Lower River Suir</p> <p>Habitats to consider: Atlantic Salt meadows, Mudflats, sandflats, saltmarsh, estuary</p> <p>Species to consider: Sea Lamprey, River Lamprey, Brook Lamprey, Freshwater Pearl Mussel, Crayfish, Twaité Shad, Atlantic Salmon, Otter.</p>	N
2d	<p>Impacts On Woodlands And Grasslands <i>Is the development within a Special Area of Conservation whose qualifying habitats include terrestrial habitats, or in close proximity to same with a likely ecological impact?.</i></p> <p>Sites to consider: Spa hill and Clomantagh Hill, Cullahil Mountain, River Barrow, River Nore, Lower River Suir</p> <p>Habitats to consider: Alluvial Wet Woodlands (River Nore below Inistloge and River Suir at Fiddown Island and Carrick on Suir), Eutropic tall herb vegetation (River Suir at Fiddown Island and Carrick on Suir), and grasslands (Spa hill and Clomantagh Hill, Cullahil Mountain)</p> <p>Oak Woodlands in old estates next to the Nore and Barrow</p> <p>Species to consider: Greenwinged, Frog and Bee Orchids (Cullahil and Clomantagh Hill), Nettle Leaved Bellflower and Autumn Crocus</p>	N
2a	<p>Impacts On Birds <i>Is the development within a Special Protection Area, or likely to discharge water to same or likely to have another significant impact on the habitats of Birds in same?.</i></p> <p>Sites to consider: River Nore</p> <p>Species to consider: River Nore: Kingfisher (Alcedo Atthis) – Nestling in river banks</p>	N

Table 3: Determination of possible impacts on Natura 2000 sites.

Where it has been identified in table 2 that there is a Natura 2000 site within the potential impact zone of the proposed development, it is necessary to try to determine the nature of the possible impacts. Please answer the following questions as appropriate.

1.	<p>Impacts on designated freshwater habitats (rivers, lakes streams and lagoons).</p> <p><i>Please answer the following if the answer to question 2a in table 2 was yes.</i></p> <p><i>Does the development involve any of the following:</i></p>	
1.1	Impacts on watercourses (tributaries, streams, drains) which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge	N
1.2	Abstraction from surfacewater or groundwater within 1km of SAC/SPA.	N
1.3	Removal of topsoil within 100 m of watercourses with potential for surface water runoff.	N
1.4	Infilling or raising of ground levels within 100m of watercourses with potential for surface water runoff.	N
1.5	Construction of drainage ditches within 1km of SAC/SPA.	N
1.6	Construction within a floodplain or within an area liable to flood.	Y
1.7	Crossing or culverting of rivers or streams within 1km of SAC/SPA.	N

1.8	Storage of chemicals hydrocarbons or organic wastes within 100 m of a watercourse.	N
1.9	Development of a large scale which involves the production of an EIS.	N
1.10	Development of quarries, particularly where abstraction is below water table.	N
1.11	Development of windfarms within 1km of an SAC or with the risk of runoff to an SAC/SPA, particularly during construction	N
1.12	Development of pumped hydro electric stations.	N
2	Impacts on designated wetland habitats (bog, heath, marsh, fen). <i>Please answer the following if the answer to question 2b in table 2 was yes.</i> <i>Does the development involve any of the following:</i>	
2.1	Impacts on watercourses (tributaries, streams, drains) which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge.	N
2.2	Construction of roads or other infrastructure on peat habitats within 1km of a Natura 2000 site of which qualifying interests include peat, fen or marsh. (Only Peat habitat at Bruckana – consider Galmoy fen – impact unlikely	N
2.3	Development of a large scale within 1km within a Natura 2000 site, whose qualifying features include fen or marsh, which involves the production of an EIS.	N
3	Impacts on designated intertidal and marine habitats (mudflats, sandflats, estuaries, reefs and sea cliffs). <i>Please answer the following if the answer to question 2c in table 2 was yes.</i> <i>Does the development involve any of the following:</i>	
3.1	Impacts on intertidal and marine habitats from potential development which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge	N
3.2	Development of piers, slipways, marinas, pontoons or any other infrastructure within 5km of a Natura 2000 site whose qualifying features include intertidal or marine habitats.	N
3.3	Dredging within 5km of a Natura 2000 site whose qualifying features include intertidal or marine habitats.	N
3.4	Impacts on watercourses (tributaries, streams, drains) which are remote from the SAC/SPA but may still impact on the SAC/SPA by reason of the nature or quantity of the discharge.	N
3.5	Removal of topsoil or infilling within 100m of Natura 2000 sites whose qualifying features include intertidal or marine habitats where potential for surface water runoff exists.	N
3.6	Development of a large scale within 1km of Natura 2000 sites whose qualifying features include intertidal or marine habitats, which involves the production of an EIS.	N
4	Impacts on other designated woodlands and grasslands (woodland, upland grassland, lowland grassland, coastal grassland including dunes). <i>Please answer the following if the answer to question 2d in table 2 was yes.</i> <i>Does the development involve any of the following:</i>	
4.1	Works within the boundary of a Special Area of Conservation whose qualifying interests include woodland or grassland habitat types.	N
4.2	Development within 200m of Natura 2000 site with woodland or grassland habitats.	N

4.3	Development of a large scale within 1km of Natura 2000 site with woodland, grassland or coastal habitats which involves the production of an EIS.	N
5	Impacts on birds in SPAs <i>Please answer the following if the answer to question 2a in table 2 was yes.</i> <i>Does the development involve any of the following:</i>	
5.2	Erection of wind turbines within 1km of an SPA.	N
5.3	All construction works within 100m of SPA (River Nore), including the development of cycle ways or walking routes	N
5.4	Infilling of coastal habitats within 500m of intertidal SPA.	N
5.5	Works within 1km of coastal SPA which will result in discharges to rivers or streams that are directly connected to designated sites.	N
5.6	.	

Conclusion: If the answer to question 1 and 2a-e are no or n/a, significant impacts on habitats within Natura 2000 sites and on SPAs can be ruled out. No further assessment is required in relation to habitats or birds. If the answer to any question in table 2 is yes, you may require further information, unless you are satisfied that the project proponents have incorporated adequate mitigation into their design to avoid impacts on the Natura 2000 site (eg water pollution protection measures). Such information should be provided in the form of a Natura Impact Statement which should address the particular issues of concern as identified through the above.

Table 4: Consideration of potential impacts on protected species

Many of our Special Areas of Conservation are designated for species as well as for habitats. These are listed below, alongside the sites for which they are designated. Included is a short list of the types of activities which could have an impact on these species. Please tick if you are concerned that the proposed development could have an impact on these species.

Species	Relevant Sites	Activities which could have impacts on species	Possible Impacts Identified? Y/N
Otter	River Nore River Barrow Lower River Suir Note: Otters are a strictly protected species. All breeding sites and resting places are protected regardless of whether or not they are within or external to Special Areas of Conservation.	Activities that interfere with river banks.	N
Atlantic Salmon	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	N
River Lamprey	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	N
Brook Lamprey	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed;	N
Sea Lamprey	River Barrow River Nore Lower River Suir	Activities that interfere with water quality or the river bed – estuarine areas;	N

Species	Relevant Sites	Activities which could have impacts on species	Possible Impacts Identified? Y/N
Twalle Shad	Lower River Suir	Activities that interfere with water quality or the river bed – estuarine areas;	N
Crayfish	Lower River Suir	Activities that interfere with water quality or the river bed;	N
Freshwater Pearl Mussel	River Barrow River Nore Lower River Suir	Activities that interfere with water quality, levels or the river bed ;	N
Nore Freshwater Pearl Mussel	River Nore	Activities that interfere with water quality, levels or the river bed ;	N

Conclusion: If the answer to all of the above is no, significant impacts on species can be ruled out. If the answer to any of the above is yes, then further information is likely to be required in relation to potential for impact on that particular species. Where potential impacts are identified on Otters or on Bats outside designated sites, then further information should be sought in the form of a species specific survey. In these cases, appropriate assessment is not required.

Habitats Directive Screening Conclusion Statement

Development Type	Part VIII
Development Location	Irishtown Kilkenny City
Natura 2000 sites within impact zone	
Planning File Ref	IR 378
Description of the project	Redevelopment of Mayfair Ballroom
Describe how the project or plan (alone or in combination) could affect Natura 2000 site(s). <i>Having regard to the scale of development the limited amount of new constructed area, the use of existing services it is considered there will be no significant impact.</i>	
If there are potential impacts, explain whether you consider if these are likely to be significant.	
<p>Conclusion of assessment Having regard to the precautionary principle, it is considered that:</p> <p><input checked="" type="checkbox"/> Significant impacts can be ruled out or AA not required (if project is directly connected or necessary to Management of Natura 2000 site (determined in consultation with NPWS)).</p> <p>or</p> <p><input type="checkbox"/> Significant impacts are certain, likely or uncertain (cannot be ruled out). Natura Impact Statement (NIS) is required. Project must be subject to appropriate assessment.</p>	
Documentation reviewed for making of this statement. <i>Part VIII on public display and appropriate assessment screening by the Moore Group.</i>	
Completed By	Drew Malone Senior Planner
Date	9/2/2015

significant impact.