

# **Millbrae Footpath**

## **HABITATS DIRECTIVE ARTICLE 6 SCREENING ASSESSMENT**



Chomhairle Chondae Dhun na ríGail

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## 1.0 Executive Summary

This report contains a Screening for Appropriate Assessment of the proposed **Millbrae Footpath** in accordance with the requirements of Article 6(3) and Article 6(4) of the EU Habitats Directive (92/43/EEC). The project is unlikely to have a significant effect on any Natura 2000 site or qualifying interest due to the separation distance between the Works and the Natura 2000 site. This report clearly determines that Appropriate Assessment is not required.

## 2.0 Introduction

Article 6(3) and 6(4) of the Habitats Directive states the following:

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 subject to **appropriate assessment** of its implications for the site in view of the site’s **conservation objectives**. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the **competent national authorities** shall agree to the plan or project only after having ascertained that it will not adversely affect the **integrity of the site** concerned and, if appropriate, after having obtained the opinion of the general public’.

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, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public

safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest’.

Appropriate Assessment process follows a four stage approach. The outcome of 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 in Article 6(4).

Appropriate Assessment process comprises of the following stages;

Stage 1 – Screening for Appropriate Assessment (AA)

Stage 2 – Appropriate Assessment (AA)

Stage 3 – Alternative Solutions

Stage 4 – Imperative Reasons of Overriding Public Interest (IROPI)/ Derogation.

Screening determines whether Appropriate Assessment (AA) is necessary by examining:

‘whether a plan or project can be excluded from AA requirements because it is directly connected with or necessary to the management of the site, and’ ‘the potential effects of a project or plan, either alone or in combination with other projects and plans, on a Natura 2000 site in view of its conservation objectives, and considering whether these effects will be significant’. Screening is an iterative process that involves consideration of the plan or project and its likely effects, and of the Natura 2000 sites and their ecological sensitivities, and the likely interaction of these. 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).

### **3.0 Description of Project**

The proposed **Millbrae Footpath** is located on Millbrae in Stranorlar. The junction of Millbrae and the N15 is located at Mc Clays Corner at the start of the works extents.

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The nature and objective of the proposed works is to achieve:

- A safer and more comfortable street environment for pedestrians of all ages
- Improved connectability with measures that make drivers more aware of their environment.

The proposed works are summarised as follows:

- Provision of a new 3m wide 330m length of footpath
- The provision of new and upgrading of existing pedestrian crossing facilities
- The provision of revised lining design for the entire area under consideration for this application, civil works in the form of ducting, drainage, road construction and kerbs and footways.

The following items have been considered in the design and planning of construction of the proposed project.

**Road Pavement:** The works involve the overlay, widening or reconstruction of the existing road pavement of localised sections throughout the project. The pavement will be designed in accordance with TII / DTTAS Standards having regard to the number of vehicles that will be using the road and will be constructed in accordance with the TII Specification for Road Works. Typically the carriageway will comprise of an asphalt wearing course over an asphaltic concrete (macadam) pavement.

**Footways:** The works involve the provision of new facilities on the eastern side of Millbrae. 330m in length with a Bitmac surface.

**Structures:** There is no requirement for additional structures

**Safety Barrier:** There is no requirement for additional safety barriers

**Road Markings:** Road markings will be used for the extent of the works to clearly show the new carriageways, turning lanes, bifurcation arrows, directional arrows, lane extents and traffic flows.

**Signage:** Signage will consist of both directional, informational and safety signage to give a clear understanding of the road layout and junction layouts.

**Landscaping:** Areas of road verge which may be impacted by works will be grass seeded.

**Temporary Road Diversions:** Temporary road diversions may be required to facilitate the construction of this scheme. However, it is envisaged that in so far as possible online traffic management will be utilised to construct the scheme.

**Site Compound:** A site compound may be located within the confines of the Site Boundary identified (or in close proximity) during the construction stage of the works.

**Surface Water Drainage:** Existing surface water drainage will be assessed and improved as required. A new drainage system will be installed in the kerbed section comprising road gullies and carrier pipes discharging to a suitable outfall.

**Services:** The works are generally confined within the extents of the existing pavement. Where impact occurs to services, utility providers will be contacted to discuss impacts and requirements. Enet and eir services will be required with service ducts for the provision of signal head control equipment.

#### 4.0 Natura 2000 Sites

The approach to screening follows guidance provided in the document 'Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities'.

Any Natura 2000 sites **within or adjacent** to the plan or project area.

County Donegal has 72 Natura sites and together they cover a large area of the county. In particular, watercourses are frequently included within the Natura sites and contribute significantly to the environmental diversity throughout the county. Where a particular watercourse is not directly included within a Natura site then it may often discharge into a Natura site and thus has a direct connector to that site. The following Natura site is located within 0.3km to the proposed works but there is no direct connector to site:

- River Finn Special Area of Conservation (Site code 002301) Assessment of Likely Effects

#### **4.1 River Finn SAC (002301)**

This site comprises almost the entire freshwater element of the River Finn and its tributaries the Corlacky, the Reelan sub-catchment, the Sruhamboy, Elatagh, Cummirk and Glashagh, and also includes Lough Finn, where the river rises. The spawning grounds at the headwaters of the Mourne and Derg Rivers, Loughs Derg and Belshade and the tidal stretch of the Foyle north of Lifford to the border are also part of the site. The entire site is in Co. Donegal. There are many towns along the river but not within the site, including Lifford, Castlefinn, Stranolar and Ballybofey.

The site is a Special Area of Conservation (SAC) selected for the following habitats and/or species listed on Annex I / II of the E.U. Habitats Directive; Oligotrophic Waters containing very few minerals (3110), Wet Heath (4010), Blanket Bogs (7130), Transition Mires (7140), Atlantic salmon (1106) and Otter (1355).

#### **5.0 Assessment of Likely Effects**

The development will not have a direct effect on the Natura 2000 sites. The development will not lead to loss of habitat, fragmentation or any impact on water resources.

The river channel is managed by the OPW and it is likely that this would continue as normal.

In relation to water quality, the existing drainage layout along the existing and proposed road and lane layouts direct all surface water runoff to a stream/watercourse. Donegal County Council do not intend changing how storm water runoff from the existing road network is dealt with within this area.

The existing storm water runoff has been discharging from drainage along the existing road network over a long number of years and with the minor works in relation to drainage

and new road construction being modest; it is considered unlikely that there shall be any cumulative, direct or indirect effects on the Natura sites short term or long term.

## **6.0 Likely significance of impacts**

Favourable conservation status of a habitat is achieved when its natural range, and area it covers within that range, is stable or increasing, and the ecological factors that are necessary for its long- term maintenance exist and are likely to continue to exist for the foreseeable future, and the conservation status of its typical species is favourable. The favourable conservation status of a species is achieved when population data on the species concerned indicate that it is maintaining itself, and the natural range of the species is neither being reduced or likely to be reduced for the foreseeable future, and there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

### **6.1 High Level Screening**

The proposed works have been given an initial screening to consider relevant factors and determine if there may be potential for Natura 2000 impact. The site is located 0.3 km from the River Finn SAC and has no direct connector to the site. Given the 0.3 km separation between the works area and it is considered extremely unlikely that there will be a direct or indirect impact that there will be as a result of the proposed works.

### **6.2 Other species**

The road works are located away from the Natura 2000 sites but will be developed in the knowledge that there may be other species residing in and around the site that are not associated with any Natura sites but also require consideration. One concern is with water quality during the construction phase with possible contaminants getting into the watercourse. Consultations will be held with relevant fisheries board and that good site management practices will be adhered to. Prior to the construction phase the contractor shall prepare a method statement which will be forwarded to the relevant

fisheries body for their input to ensure that any risk to fish within the main watercourse (River Finn) is minimised

### 6.3 Other Policies, Plans or Projects

There are no other works, policies, plans or projects known that would impact on any of the River Finn SAC. As the works are non intrusive in nature on the Natura 2000 sites, it is unlikely that the project will have any effect on these species.

It is concluded the subject project does not have any significant impact on identified Natura 2000 Sites, Appendix 2 contains an Assessment of Natura 2000 Sites identified at Section 4.0 above. No other plans or projects have been identified in respect of which combined effects with the subject project require consideration.

### 7.0 Summary and Recommendation

Further to the above assessment of Natura 2000 sites (as detailed in Appendix 2) within the likely zone of impact (5km) of the proposed road works it is considered that the project will have no adverse effect on the integrity or conservation objectives of any of the Natura 2000 sites. The screening process has been undertaken to identify the proximity of Natura sites to the proposed works. The process has considered the qualifying interests of these Natura 2000 sites and potential impacts arising from the construction of the **Millbrae Footpath**. Because of the type of qualifying interest, the separation between construction sites and Natura sites, the timing of the works, the controls in place, the environmental checks and the use of good site management practices it is considered extremely unlikely that the proposed works will have any significant impact on the integrity on any of the Natura site.

The process has shown that it is extremely unlikely that there will be any significant negative effects on any Natura 2000 sites arising from the construction of the **Millbrae Footpath**. It is also unlikely that there will be 'in combination' negative effects from any other plans or known developments. In conclusion the Stage 1 screening for Appropriate Assessment has determined that the **Millbrae Footpath** will not adversely impact in any

significant manner on any Natura 2000 site and the qualifying interests or conservation objectives associated with them. As such, it is concluded that Appropriate Assessment is not required.

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**Report Acceptance Sheet**

The Habitats Directive Article 6 screening report has determined that the proposed **Millbrae Footpath** is unlikely to have a significant effect on any Natura site

**Screening Report Prepared And Recommended By:**

24/06/2020

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Michael McGroddy  
Assistant Engineer

**Screening Report Approved By:**

24/06/2020

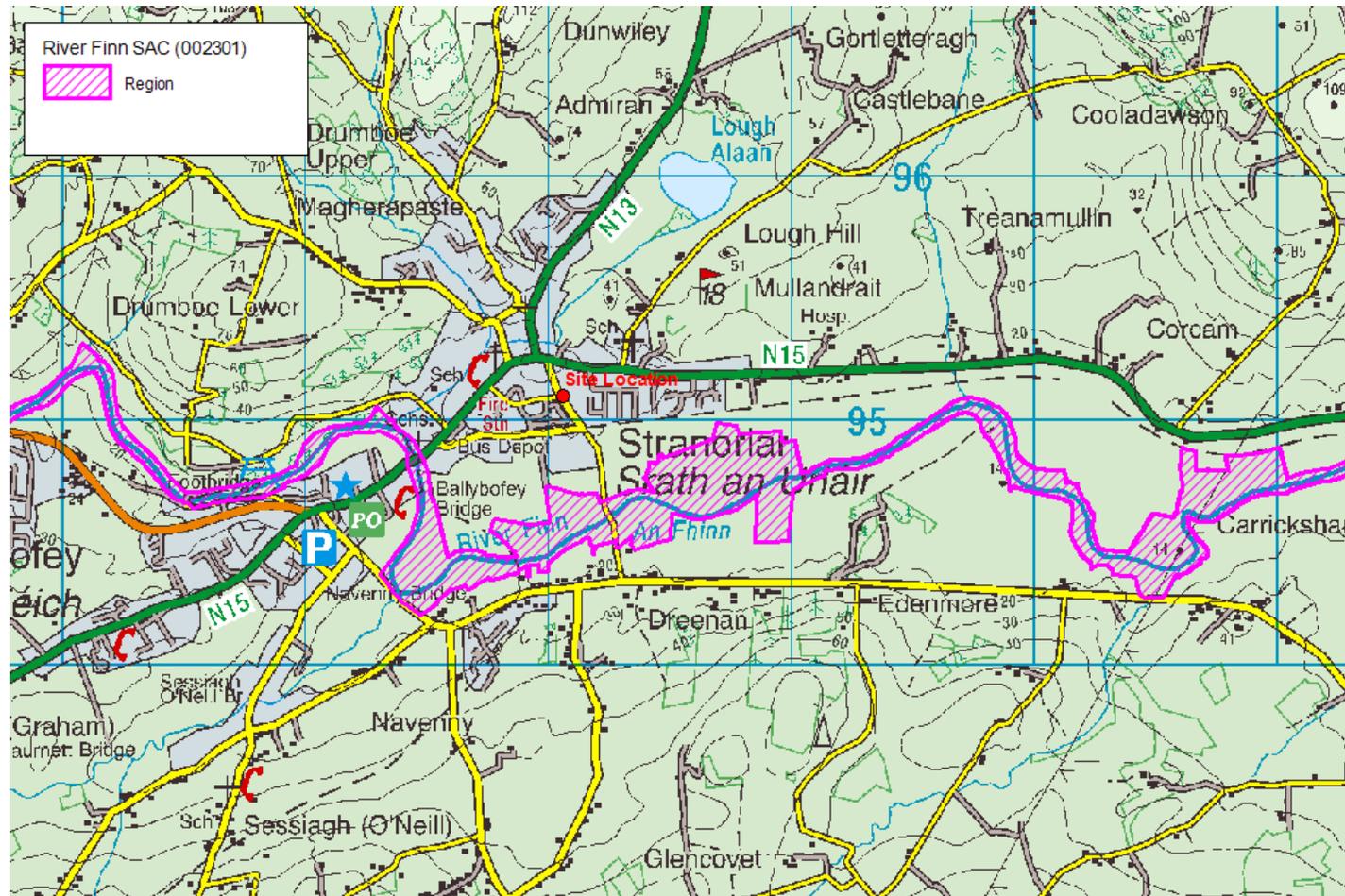
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Stephen Glackin  
Executive Engineer

## **Appendix 1 – Site Location**



## **Appendix 2 – References**

## References

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