

APPROPRIATE ASSESSMENT SCREENING REPORT

FOR
PROPOSED VARIATION No. 1
TO THE
MONAGHAN COUNTY DEVELOPMENT 2019-2025

IN ACCORDANCE WITH THE REQUIREMENTS OF
ARTICLE 6(3) OF THE EU HABITATS DIRECTIVE

for: Monaghan County Council

County Offices
The Glen
County Monaghan



by: CAAS Ltd.

1st Floor
24-26 Ormond Quay Upper
Dublin 7



OCTOBER 2019

Table of Contents

Section 1	Introduction	2
1.1	Background	2
1.2	Legislative Context.....	2
1.3	Approach.....	2
Section 2	Description of the Variation	4
Section 3	Screening for Appropriate Assessment.....	5
3.1	Introduction to screening	5
3.2	Identification of relevant European Sites	5
3.3	Assessment Criteria.....	7
3.4	Screening of Sites	7
3.5	Other Plans and Programmes	10
Section 4	AA Screening Conclusion.....	11
Appendix I	Background information on European sites	
Appendix II	Relationship Other Plans and Programmes	

Section 1 Introduction

1.1 Background

This Screening report has been prepared in support of the Appropriate Assessment (AA) for Proposed Variation No.1 to the Monaghan CDP 2019-2025 in accordance with the requirements of Article 6(3) of Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (hereafter referred to as the "Habitats Directive").

This report is part of the ongoing AA process that is being undertaken alongside the preparation of the Proposed Variation. It will be considered, alongside other documentation prepared as part of this process, when Monaghan County Council finalises the AA at adoption of the Proposed Variation.

1.2 Legislative Context

The Habitats Directive provides legal protection for habitats and species of European importance. The overall aim of the Habitats Directive is to maintain or restore the "favourable conservation status" of habitats and species of European Community Interest. These habitats and species are listed in the Habitats and Birds Directives (Council Directive 2009/147/EC on the conservation of wild birds) with Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) designated to afford protection to the most vulnerable of them. These two designations are collectively known as European sites and Natura 2000.

AA is required by the Habitats Directive, as transposed into Irish legislation by the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended) and the Planning and Development Act (as amended). AA is an assessment of the potential for adverse or negative effects of a plan or project, in combination with other plans or projects, on the conservation objectives of a European site. These sites consist of SACs and SPAs and provide for the protection and long-term survival of Europe's most valuable and threatened species and habitats.

1.3 Approach

The AA is based on best scientific knowledge and has utilised ecological and hydrological expertise. In addition, a detailed online review of published scientific literature and 'grey' literature was conducted. This included a detailed review of the National Parks and Wildlife (NPWS) website including mapping and available reports for relevant sites and in particular sensitive qualifying interests/special conservation interests described and their conservation objectives.

The ecological desktop study completed for the AA of the Proposed Variation comprised the following elements:

- Identification of European Sites within 15km of the Proposed Variation boundary with identification of potential pathways links for specific sites (if relevant) greater than 15km from the Proposed Variation boundary;
- Review of the NPWS site synopsis and conservation objectives for European Sites with identification of potential pathways from the Proposed Variation area; and
- Examination of available information on protected species.

There are four main stages in the AA process as follow:

Stage One: Screening

The process that identifies the likely impacts upon a European site of a project or plan, either alone or in combination with other projects or plans and considers whether these impacts are likely to be significant.

Stage Two: Appropriate Assessment

The consideration of the impact on the integrity of the European site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts. If adequate mitigation is proposed to ensure no significant adverse impacts on European sites, then the process may end at this stage. However, if the likelihood of significant impacts remains, then the process must proceed to Stage Three.

Stage Three: Assessment of Alternative Solutions

The process that examines alternative ways of achieving the objectives of the project or plan that avoids adverse impacts on the integrity of the European site.

Stage Four: Assessment where no alternative solutions exist and where adverse impacts remain

An assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

The Habitats Directive promotes a hierarchy of avoidance, mitigation and compensatory measures. This approach aims to avoid any impacts on European Sites by identifying possible impacts early in the plan-making process and avoiding such impacts. Second, the approach involves the application of mitigation measures, if necessary, during the AA process to the point where no adverse impacts on the site(s) remain. If potential impacts on European sites remain, the approach requires the consideration of alternative solutions. If no alternative solutions are identified and the plan/project is required for imperative reasons of overriding public interest, then compensation measures are required for any remaining adverse effect(s).

The assessment of potential effects on European Sites is conducted following a standard source-pathway-receptor¹ model, where, in order for an effect to be established all three elements of this mechanism must be in place. The absence or removal of one of the elements of the model is sufficient to conclude that a potential effect is not of any relevance or significance.

In the interest of this report, receptors are the ecological features that are known to be utilised by the qualifying interests or special conservation interests of a European Site. A source is any identifiable element of the Proposed Variation provision that is known to interact with ecological processes. The pathways are any connections or links between the source and the receptor. This report provides information on whether direct, indirect and cumulative adverse effects could arise from the Proposed Variation.

The AA Screening exercise has been prepared taking into account legislation including the aforementioned legislation and guidance including the following:

- Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, 2009;
- "Commission Notice: Managing Natura 2000 sites - The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC", European Commission 2018;
- "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 DG, 2002; and
- "Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC", European Commission, 2000.

¹ Source(s) – e.g. pollutant run-off from proposed works; Pathway(s) – e.g. groundwater connecting to nearby qualifying wetland habitats; and Receptor(s) – qualifying aquatic habitats and species of European Sites.

Section 2 Description of the Proposed Variation

The Monaghan County Development Plan 2019-2025 provides for sustainable development and proper planning within the administrative area of Monaghan County Council.

As detailed in the Proposed Variation document, there is a need to update the current policy set out in the County Development Plan to ensure it is consistent with recent developments in relation to the review of the preferred corridor for the Clontibret to NI Border N2 realignment scheme and the upgrade of the stretch of N2 road between Ardee and Castleblayney.

Section 7.8.1 of the County Development Plan sets out National Roads Policy and in relation to the N2 National Route and although policy NRP5 seeks to progress and ensure the upgrade of the N2 in co-operation with Transport Infrastructure Ireland and the relevant adjoining local authorities, it is proposed that in addition to this general policy relating upgrading of the N2, the following specific policy should be included:

NRP 7: To protect the selected route of the N2 upgrade road scheme between Ardee and Castleblayney and the selected route between Clontibret and the border with Northern Ireland, and to prohibit development that could prejudice their future delivery.

Section 3 Screening for Appropriate Assessment

3.1 Introduction to screening

This stage of the process identifies any potential significant affects to European Sites from a project or plan, either alone or in combination with other projects or plans.

An important element of the AA process is the identification of the “conservation objectives”, “Qualifying Interests” (QIs) and/ or “Special Conservation Interests” (SCIs) of European Sites requiring assessment. QIs are the habitat features and species listed in Annexes I and II of the Habitats Directive for which each European Site has been designated and afforded protection. SCIs are wetland habitats and bird species listed within Annexes I and II of the Birds Directive. It is also vital that the threats to the ecological / environmental conditions that are required to support QIs and SCIs are considered as part of the assessment.

The following NPWS Generic Conservation Objectives have been considered in the screening:

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

Where available, Site-Specific Conservation Objectives (SSCOs) designed to define favourable conservation status for a particular habitat² or species³ at that site have been considered.

3.2 Identification of relevant European Sites

The Department of the Environment (2009) Guidance on AA recommends a 15 km buffer zone to be considered. A review of all sites within this zone has allowed a determination to be made that in the absence of significant hydrological links the characteristics of the Proposed Variation will not impose effects beyond the 15 km buffer. All European sites within a 15km radius of the Variation area were examined to assess potential connectivity corridors on a landscape scale and assess potential interactions between the Proposed Variation and the conservation objectives of each of the sites. European Sites within or directly adjacent to the vantage point locations were examined for all potential localised effects that may occur such as visitor interactions.

Details of European Sites that occur within 15 km of the Proposed Variation are listed in Table 3.1. European Sites and the EPA Rivers and Catchments are also mapped in Figure 3.1 below. Information on QIs, SCIs and site-specific vulnerabilities and sensitivities (see Appendix I) and background information (such as that within Ireland’s Article 17 Report to the European Commission, site synopses and Natura 2000 standard data forms) has been considered. Conservation objectives that have been considered by the assessment are included in the following NPWS/ Department of Culture, Heritage and the Gaeltacht documents:

- (2015) Conservation objectives for Magheraveely marl loughs SAC [UK0016621]. Version 2. Department of Agriculture, Environment and Rural Affairs Northern Ireland;
- (2018) Conservation objectives for Slieve Beagh SPA [004167]. Generic Version 6.0. Department of Culture, Heritage and the Gaeltacht; and
- (2015) Conservation objectives for Slieve Beagh Mullaghfad Lisnaskea SPA [UK9020302]. Version 3. Department of Agriculture, Environment and Rural Affairs Northern Ireland.

The assessment considers available conservation objectives. Since conservation objectives focus on maintaining the favourable conservation condition of the QIs/SCIs of each site, the screening process

² Favourable conservation status of a habitat is achieved when: its natural range, and area it covers within that range, are stable or increasing; the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future; and the conservation status of its typical species is favourable.

³ The favourable conservation status of a species is achieved when: population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats; the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future; and there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

concentrated on assessing the potential effects of the Plan against the QIs/SCIs of each site. The conservation objectives for each site were consulted throughout the assessment process.

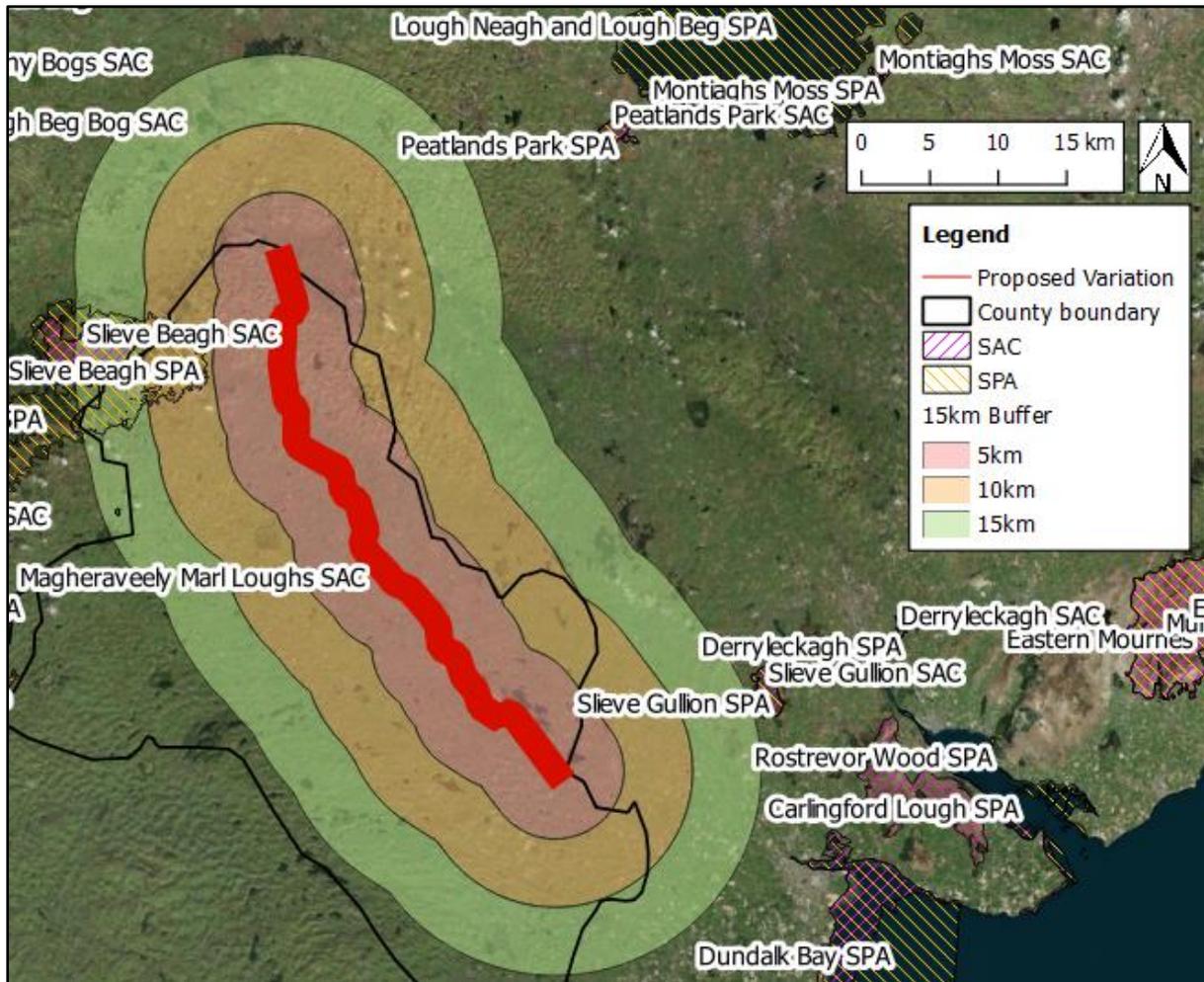


Figure 3.1 European Sites within 15 km of the Proposed Variation boundary⁴

⁴ Source: NPWS (datasets downloaded October 2019)

3.3 Assessment Criteria

3.3.1 Is the Proposed Variation Necessary to the Management of European Sites?

The overarching objective of the Variation is not the nature conservation management of the sites, but to provide for the protection of the selected routes for road improvements. Therefore, the Proposed Variation is not considered to be directly connected with or necessary to the management of European Sites.

3.3.2 Elements of the Proposed Variation with Potential to Give Rise to Effects

The Variation introduces an additional objective to the existing Monaghan CDP and associated edits to the Plan on foot of the new objective which states:

NRP 7: To protect the selected route of the N2 upgrade road scheme between Ardee and Castleblayney and the selected route between Clontibret and the border with Northern Ireland, and to prohibit development that could prejudice their future delivery.

The Proposed Variation does not provide for the development of road improvements (including road upgrades and realignments), rather it provides for the protection of the selected routes for road improvements. The existing County Development Plan and higher-level transport and land use plans, programmes, etc. already provide for the road improvements referred to in the Proposed Variation. These existing Plan provisions have been subject to SEA and AA as relevant and appropriate, with mitigation measures integrated into the relevant plans. The Variation does not introduce any sources for effects that were not already considered by the existing Monaghan CDP and associated NIS.

3.4 Screening of Sites

Error! Reference source not found. examines whether there is potential for effects on European Sites considering information provided above, including Appendix I. Sites are screened out based on one or a combination of the following criteria:

- Where it can be shown that there are significant pathways such as hydrological links Proposed Variation proposals and the site to be screened;
- Where the site is located at such a distance from that area to which the Proposed Variation relates that effects are not foreseen; and
- Where it is that known threats or vulnerabilities at a site cannot be linked to potential impacts that may arise from the Proposed Variation.

3.4.1 Types of Potential Effects and Changes

As outlined in the European Commission Environment DG document "*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*" outlines the types of effects that may affect European Sites. These include effects from the following activities:

- Land take
- Resource Requirements (Drinking Water Abstraction Etc.)
- Emissions (Disposal to Land, Water or Air)
- Excavation Requirements
- Transportation Requirements
- Duration of Construction, Operation, Decommissioning

In addition, the guidance document outlines the following likely changes that may occur at a designated site, which may result in effects on the integrity and function of that site:

- Loss/reduction of habitat area;
- Habitat or species fragmentation;
- Disturbance to key species;
- Reduction in species density;
- Changes in key indicators of conservation value (water quality etc.); and
- Climate change.

Assessment of potential impacts on European Sites is conducted utilising a standard source-pathway model (see approach referred to under Section 0 and Section 3).

Each of these potential changes are considered below and in Table 3.1 with reference to the QIs/SCIs of all of the European Sites identified.

Table 3.1 Screening of European sites within 15km of the Proposed Variation boundary

Site Code	Site Name	Distance (Km)	Qualifying Features (Qualifying Interests & Special Conservation Interests)	Potential effects (refer also to Sections 3.3.2 and 3.3.3 above)	Pathway for Significant Effects	Potential for In-Combination Effects
004167	Slieve Beagh SPA	5.8	Hen Harrier (<i>Circus cyaneus</i>) [A082]	Land use management activities and succession processes are the key sensitivities for the site. There are no provisions in the Proposed Variation that introduce any sources for effects.	No	No
UK 0016622	Slieve Beagh SAC ⁵	10	Natural dystrophic lakes and ponds [3160] Blanket bogs (* if active bog) [7130] European dry heaths [4030]	Land use management activities and hydrological interaction are the key sensitivities for the site. There are no provisions in the Proposed Variation that introduce any sources for effects.	No	No
UK0016621	Magheraveely Marl Loughs SAC ⁶	13	White-clawed (or Atlantic stream) crayfish <i>Austropotamobius pallipes</i> [1092] Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> * [7210] Alkaline fens [7230] Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara spp</i> [3140]	Land use management activities and hydrological interaction are the key sensitivities for the site. There are no provisions in the Proposed Variation that introduce any sources for effects.	No	No

⁵ https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004167.pdf

⁶ <https://www.daera-ni.gov.uk/sites/default/files/publications/doe/land-information-magheraveely-marl-loughs-conservation-objectives-2015.pdf>

3.5 Other Plans and Programmes

Article 6(3) of the Habitats Directive requires an assessment of a plan or project to consider other plans or programmes that might, in combination with the plan or project, have the potential to adversely impact upon European Sites. There are no provisions in the Proposed Variation that introduce any sources for effects s. Therefore, there are no in combination effects identified.

Section 4 AA Screening Conclusion

This report to inform the AA Screening of Proposed Variation No.1 to the Monaghan CDP 2019-2025 and demonstrates that the implementation of the Variation will not result in adverse effects to the ecological integrity of any European Sites.

Following the source-pathway-receptor model, the relevant attributes of European Sites were assessed. No sources for effects to any European Site would arise from the Proposed Variation.

The risks to the safeguarding and integrity of the qualifying interests, special conservation interests and conservation objectives of the European sites have been addressed through existing, already in force policies and objectives within the Monaghan CDP (that was subject to Stage 2 AA) with which the Proposed Variation and all lower tier plans/projects must comply. In addition, any future projects, plans etc. that may arise will themselves be subject to AA/screening for AA when further details of design and location are known.

It is concluded that Proposed Variation No. 1 will not give rise to any effect on the ecological integrity of any European Sites, alone or in combination with any other plans, programmes, and projects etc.

Appendix I Background information on European Sites

List of European Sites within 15 km of the N2 in County Monaghan; including the Qualifying features (Qualifying Interests or Special Conservation Interests) and Site Vulnerability/Sensitivity

Site Code	Site Name	Distance (Km)	Qualifying Features (Qualifying Interests & Special Conservation Interests)	Site Specific Threats or Vulnerability
004167	Slieve Beagh SPA	Within	Hen Harrier (<i>Circus cyaneus</i>) [A082]	Paths/trails and peat extraction are the known pressures within the SPA. The species are sensitive to direct land use management activities and succession processes.
UK0016621	Magheraveely Marl Loughs SAC	0.00	White-clawed (or Atlantic stream) crayfish <i>Austropotamobius pallipes</i> [1092] Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> * [7210] Alkaline fens [7230] Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara spp</i> [3140]	Grazing, forest exploitation without replanting or natural regrowth. Outdoor sports and leisure activities, recreational activities. Pollution to surface waters (limnic & terrestrial, marine & brackish). Pollution to groundwater (point sources and diffuse sources). Air pollution, air-borne pollutants invasive non-native species. Human induced changes in hydraulic conditions. Biocenotic evolution, succession. Threats and pressures from outside the Member State.
UK0016622	Slieve Beagh SAC	0.00	Natural dystrophic lakes and ponds [3160] Blanket bogs (* if active bog) [7130] European dry heaths [4030]	Grazing, Mining and quarrying. Air pollution, air-borne pollutants. Invasive non-native species, fire and fire suppression. Human induced changes in hydraulic conditions.

List of all Qualifying Interests of SACs that have undergone Assessment including Summaries of Current Threats and Sensitivity to Effects

Qualifying Interests	Current threats to Qualifying Interests	Sensitivity of Qualifying Interests
Alkaline fens	Peat mining activities, land drainage; infilling; fertiliser pollution and eutrophication	Groundwater dependant. Highly sensitive to hydrological changes. Changes in nutrient or base status
Blanket bog (active only)	Land reclamation, peat extraction; afforestation; erosion and landslides triggered by human activity; drainage; burning and infrastructural development.	Surface and groundwater dependent. Highly sensitive to hydrological changes. Inappropriate management
Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i>	Peat or turf cutting, arterial drainage, local drainage and agricultural reclamation, infilling of sites with building waste, dumping of household refuse, afforestation, water pollution and urban expansion.	Groundwater dependent. Highly sensitive to hydrological changes. Changes in nutrient or base status.
European dry heaths	Afforestation, overburning, over-grazing, under-grazing and bracken invasion.	Moderately sensitive to hydrological change. Changes in management. Changes in nutrient status
Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara spp</i>	Nutrient enrichment arising from intensification of agriculture and urban developments.	Surface and groundwater dependent. Highly sensitive to hydrological changes. Highly sensitive to pollution
Natural dystrophic lakes and ponds	Peat cutting, overgrazing and afforestation of peatland habitats.	Surface and groundwater dependant. Highly sensitive to hydrological changes. Highly sensitive to pollution
White-clawed (or Atlantic stream) crayfish <i>Austropotamobius pallipes</i> [1092]	Crayfish plague, fishing/angling, water quality and habitat availability/condition.	Surface water dependent. Highly sensitive to hydrological changes. Inappropriate management

List of all Special Conservation Interests of SPAs that have undergone Screening including Summaries of Current Threats and Sensitivity to Effects

Special Conservation Interests	Vulnerabilities of Special Conservation Interests
Hen Harrier (<i>Circus cyaneus</i>) [A082]	<ul style="list-style-type: none"> Bird species are particularly vulnerable to direct disturbance due to noise and/or vibration. These effects are localised, and disturbance effects are foreseen to be low at distances beyond 2km. Direct habitat loss is a serious concern for bird species, as well as the reduction in habitat quality. Habitat degradation could occur through effects such as local enrichment due to agricultural practices or damage to habitat through activities such as trampling. Prey species diversity and availability is a key element of species conservation. Community dynamics and ecosystem functionality are complex concepts and require site specific information. The site synopsis and conservation objectives for the SPAs identified within the ZOI were used to identify any specific prey sensitivities. Availability of nesting/roosting habitat. Vegetation composition, structure and functionality. Roost availability and protection. Prey availability and hunting/foraging habitat area.
Wetland and Waterbirds [A999]	Direct land take is a common vulnerability to all sites; as well as significant water quality effects. The conservation objective of all SPAs designated for Wetland and Waterbirds is to maintain the favourable conservation condition of the wetland habitat as a resource for the regularly-occurring migratory waterbirds using it.