

1 Appropriate Assessment Screening SPA 004077

1.1 Background

Following pre-planning discussions, an Appropriate Assessment screening report was submitted to Limerick City Council in support of the planning application for the proposed remedial works at the former Limerick gasworks on Dock Road.

The planning permission granted noted the provision of the Appropriate Assessment screening report within the environmental report, along with reference to the screening conclusion that a full appropriate assessment was not required in the planners report. No queries or requirements for further information of works were included in the planning permission.

The EPA notice has requested further consideration of the Special Protection Area 004077 for the Shannon and Fergus estuaries, along with SAC 002165 already reported on.

1.2 Reasons for Appropriate Assessment Screening (AAS)

The Natura 2000 sites are located within the likely zone of impact of the project which is currently recommended at a distance of 15km. The project is located approximately 100m adjacent to the sites. Therefore AAS is required under Article 6(3) and 6(4) of the Habitats Directive.

The project is considered to have an indirect effect on the adjacent Nature 2000 sites as the project specific activities are not carried out directly on these areas.

1.3 Location Description of the Natura 2000 Sites

1.3.1 SAC: Lower River Shannon, Site Code: 002165

This very large site stretches along the Shannon valley from Killaloe to Loop Head/ Kerry Head, a distance of some 120 km. The site is located approximately 100m north of the project boundary.

1.3.2 SPA: River Shannon and River Fergus estuaries, Site Code: 004077

The estuaries of the River Shannon and River Fergus form the largest estuarine complex in Ireland. The site comprises all of the estuarine habitat west from Limerick City and south from Ennis, extending west as far as Killadysert and Foynes on the north and south shores respectively of the River Shannon (a distance of some 25 km from east to west). Also included are several areas in the outer Shannon estuary, notably Clonderalaw Bay and Poulnasherry Bay, as well as the intertidal areas on the south shore of the Shannon between Tarbert and Beal Point. The site is located approximately 100m north of the project boundary.

SPA 004077 is located the same distance from the site as SAC 002165 and as such it is considered that the Appropriate Assessment screening undertaken for SAC 002165 is valid to also

apply to SPA 004077. The likely impacts, and findings of no significant effects sections have been updated below to include SPA 004077

1.4 Likely impacts on the Natura 2000 sites as a whole in terms of:

1.4.1 Interference with the key relationship that define the structure of the site

Due to the buffer zone between the project site and the designated habitat areas, any processes involved in the remediation are not considered to interfere with the key relationships that define the structure of the Natura 2000 sites.

1.4.2 Interference with key relationships that define the function of the site:

The project will ensure that the processes involved will not give rise to significant adverse direct, indirect or cumulative impacts on the integrity or defined functions of any of the Natura 2000 sites.

1.5 Indicators of significance as a result of the identification of effects set out above:

Due to the confinement of the site activities and the buffer zone the project will not impact the Natura 2000 site. As a result habitat loss, fragmentation, disruption and disturbance are not applicable as indicators.

1.6 Changes to key elements of the site

No impact as a result of the project activities are envisaged to key elements of the Natura 2000 sites. The main key element of the Natura 2000 site is water quality. The processes employed onsite will not impact this key element as any interaction with groundwater will be limited to perched ground water. The recovery of free phase DNAPL and stabilisation of the top 3m of the site will deliver likely long term benefits to the water quality of the Natura 2000 site.

2 Finding of No Significant Effects Report

2.1 Name of Project

Proposed Limerick Gas works Remediation.

2.1.1 Name and location of Natura 2000 sites

Lower River Shannon SAC 002165, River Shannon and River Fergus SPA 004077

2.1.2 Description of the plan or project

Former gasworks remediation

2.1.3 Is the project or plan directly connected with or necessary to the management of the site (provide details)?

The screening report has shown that the proposed project is not directly connected with or necessary to the management of a Natura 2000 sites.

2.1.4 Are there other projects or plans that together with the project or plan being assessed could affect the site (provide details)?

The LCCDP 2010-2016 sits within a hierarchy of national and regional planning policy documents. In essence, the Project supports the principles of the National Spatial Strategy (NSS) 2002-2020 and the Mid West Regional Planning Guidelines (RPGs) 2010-2022 in terms of the regeneration of parts of Limerick City. The main environmental objectives of these policies and strategies are to protect the environment and to maintain a sustainable environment.

2.2 The Assessment of Significant Effects

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

The project has been shown via Appropriate Assessment Screening not to be directly connected with or necessary to the management of the identified Natura 2000 site. It is also considered not to be linked together with a project or plan which may affect the Natura 2000 sites. The proposed project, which seeks to remediate the subject site from contamination from the previous use as a gas works, will not give rise to any significant effects on the Natura 2000 sites.

2.2.2 Explain why these affects are not considered significant

Under Article 6 of the Habitats Directive the term 'significance' is taken to mean an effect on the integrity of the SAC/SPA. It is considered that the proposed project will not give rise to any significant effects on the Natura 2000 sites, and thus affect their integrity, due to the following reasons:

Distance: The distance between the project site and the designated habitats is sufficient to attenuate any onsite activities; and these are not significant enough to result in any effect on the designated habitats.

Site Location: The area between the site and the SAC and SPA consists of a contiguous urban and industrial area, and is characterised by built-up developments and associated infrastructure such as roads, street and pavements; all causing no likely direct/indirect or cumulative impacts on the Natura 2000 sites

2.2.3 Screening Conclusion

The finding of the screening report stand that the proposed project does not require full Appropriate Assessment.

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1.1 Background

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The planning permission granted noted the provision of the Appropriate Assessment screening report within the environmental report, along with reference to the screening conclusion that a full appropriate assessment was not required in the planners report. No queries or requirements for further information of works were included in the planning permission.

The EPA notice has requested further consideration of the Special Protection Area 004077 for the Shannon and Fergus estuaries, along with SAC 002165 already reported on.

1.2 Reasons for Appropriate Assessment Screening (AAS)

The Natura 2000 sites are located within the likely zone of impact of the project which is currently recommended at a distance of 15km. The project is located approximately 100m adjacent to the sites. Therefore AAS is required under Article 6(3) and 6(4) of the Habitats Directive.

The project is considered to have an indirect effect on the adjacent Nature 2000 sites as the project specific activities are not carried out directly on these areas.

1.3 Location Description of the Natura 2000 Sites

1.3.1 SAC: Lower River Shannon, Site Code: 002165

This very large site stretches along the Shannon valley from Killaloe to Loop Head/ Kerry Head, a distance of some 120 km. The site is located approximately 100m north of the project boundary.

1.3.2 SPA: River Shannon and River Fergus estuaries, Site Code: 004077

The estuaries of the River Shannon and River Fergus form the largest estuarine complex in Ireland. The site comprises all of the estuarine habitat west from Limerick City and south from Ennis, extending west as far as Killadysert and Foynes on the north and south shores respectively of the River Shannon (a distance of some 25 km from east to west). Also included are several areas in the outer Shannon estuary, notably Clonderalaw Bay and Poulnasherry Bay, as well as the intertidal areas on the south shore of the Shannon between Tarbert and Beal Point. The site is located approximately 100m north of the project boundary.

SPA 004077 is located the same distance from the site as SAC 002165 and as such it is considered that the Appropriate Assessment screening undertaken for SAC 002165 is valid to also

apply to SPA 004077. The likely impacts, and findings of no significant effects sections have been updated below to include SPA 004077

1.4 Likely impacts on the Natura 2000 sites as a whole in terms of:

1.4.1 Interference with the key relationship that define the structure of the site

Due to the buffer zone between the project site and the designated habitat areas, any processes involved in the remediation are not considered to interfere with the key relationships that define the structure of the Natura 2000 sites.

1.4.2 Interference with key relationships that define the function of the site:

The project will ensure that the processes involved will not give rise to significant adverse direct, indirect or cumulative impacts on the integrity or defined functions of any of the Natura 2000 sites.

1.5 Indicators of significance as a result of the identification of effects set out above:

Due to the confinement of the site activities and the buffer zone the project will not impact the Natura 2000 site. As a result habitat loss, fragmentation, disruption and disturbance are not applicable as indicators.

1.6 Changes to key elements of the site

No impact as a result of the project activities are envisaged to key elements of the Natura 2000 sites. The main key element of the Natura 2000 site is water quality. The processes employed onsite will not impact this key element as any interaction with groundwater will be limited to perched ground water. The recovery of free phase DNAPL and stabilisation of the top 3m of the site will deliver likely long term benefits to the water quality of the Natura 2000 site.

2 Finding of No Significant Effects Report

2.1 Name of Project

Proposed Limerick Gas works Remediation.

2.1.1 Name and location of Natura 2000 sites

Lower River Shannon SAC 002165, River Shannon and River Fergus SPA 004077

2.1.2 Description of the plan or project

Former gasworks remediation

2.1.3 Is the project or plan directly connected with or necessary to the management of the site (provide details)?

The screening report has shown that the proposed project is not directly connected with or necessary to the management of a Natura 2000 sites.

2.1.4 Are there other projects or plans that together with the project or plan being assessed could affect the site (provide details)?

The LCCDP 2010-2016 sits within a hierarchy of national and regional planning policy documents. In essence, the Project supports the principles of the National Spatial Strategy (NSS) 2002-2020 and the Mid West Regional Planning Guidelines (RPGs) 2010-2022 in terms of the regeneration of parts of Limerick City. The main environmental objectives of these policies and strategies are to protect the environment and to maintain a sustainable environment.

2.2 The Assessment of Significant Effects

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

The project has been shown via Appropriate Assessment Screening not to be directly connected with or necessary to the management of the identified Natura 2000 site. It is also considered not to be linked together with a project or plan which may affect the Natura 2000 sites. The proposed project, which seeks to remediate the subject site from contamination from the previous use as a gas works, will not give rise to any significant effects on the Natura 2000 sites.

2.2.2 Explain why these affects are not considered significant

Under Article 6 of the Habitats Directive the term 'significance' is taken to mean an effect on the integrity of the SAC/SPA. It is considered that the proposed project will not give rise to any significant effects on the Natura 2000 sites, and thus affect their integrity, due to the following reasons:

Distance: The distance between the project site and the designated habitats is sufficient to attenuate any onsite activities; and these are not significant enough to result in any effect on the designated habitats.

Site Location: The area between the site and the SAC and SPA consists of a contiguous urban and industrial area, and is characterised by built-up developments and associated infrastructure such as roads, street and pavements; all causing no likely direct/indirect or cumulative impacts on the Natura 2000 sites

2.2.3 Screening Conclusion

The finding of the screening report stand that the proposed project does not require full Appropriate Assessment.

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1.3 Location Description of the Natura 2000 Sites

1.3.1 SAC: Lower River Shannon, Site Code: 002165

This very large site stretches along the Shannon valley from Killaloe to Loop Head/ Kerry Head, a distance of some 120 km. The site is located approximately 100m north of the project boundary.

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1.4.2 Interference with key relationships that define the function of the site:

The project will ensure that the processes involved will not give rise to significant adverse direct, indirect or cumulative impacts on the integrity or defined functions of any of the Natura 2000 sites.

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