

6TH OF APRIL 2021

**SCREENING FOR APPROPRIATE ASSESSMENT OF SPECIFIC WORKS ASSOCIATED WITH ‘LOT 1 – NORTH WEST BRIDGES TERM MAINTENANCE CONTRACT NO. 3’
REASONED DETERMINATION**

Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (‘the Habitats Regulations’) states, *inter alia*, ‘A screening for Appropriate Assessment of a [...] project [...] which a public authority wishes to undertake [...] shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that [...] project, individually or in combination with other plans or projects is likely to have significant effects on the European site.’¹ Regulation 42(2) of the Habitats Regulations states ‘A public authority shall carry out a screening for Appropriate Assessment under paragraph (1) before [...] a decision to undertake [...] a project is taken.’² Having taken the view that the works required under ‘Lot 1 – North West Bridges Term Maintenance Contract No. 3’ might constitute ‘projects’³ within the meaning of the Habitats Regulations, Transport Infrastructure Ireland⁴ (TII) decided that the works required under the contract should be subject to screening for Appropriate Assessment pursuant to, *inter alia*, Regulation 42 of the Habitats Regulations and Article 6(3) of the Habitats Directive.⁵ Mr. Michael Nolan (the former Chief Executive of Transport Infrastructure Ireland) delegated the function of screening for Appropriate Assessment to me, Dr. Vincent O’Malley, Head of Environmental Policy and Compliance Section, Transport Infrastructure Ireland, on the 21st of June, 2018. Mr. Peter Walsh (the current Chief Executive) subsequently confirmed this arrangement after taking office.

¹ Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. No. 477 of 2011).

² Regulation 42(2) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. No. 477 of 2011).

³ Regulation 2(1) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. No. 477 of 2011) defines ‘project’ to include ‘land use or infrastructural developments, including any development of land or on land.’ Given the breadth of the term ‘project’ under the Habitats Regulations, Transport Infrastructure Ireland is uncertain as to whether or not works required under ‘Lot 1 – North West Bridges Term Maintenance Contract No. 3’ constitute ‘projects’. It notes, however, that Section 3(1) of the Planning and Development Act, 2000, defines ‘development’ to include ‘[...] the carrying out of any works on, in, over, or under land [...]’ and that Section 2(1) of the Planning and Development Act, 2000 defines ‘works’ to include ‘[...] any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal [...]’. As such, Transport Infrastructure Ireland acknowledges that works required under ‘Lot 1 – North West Bridges Term Maintenance Contract No. 3’ might constitute ‘projects’ within the meaning of the Habitats Regulations.

⁴ Article 2 of the Roads Act 2015 (Operational Name of National Roads Authority) Order, 2015 (S.I. No. 297 of 2015) provides that the National Roads Authority may describe itself as Transport Infrastructure Ireland for operational purposes.

⁵ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora [1992] OJ L 206.

In performing this screening for Appropriate Assessment, I had regard, *inter alia*, to information contained in the following document:

- GHC09032021_NW Bridges_Yr4_Co. Galway_Rev 1.0.xls (first prepared by Atkins Limited and to which the Environmental Policy and Compliance Section of TII have added comments).

In performing this screening for Appropriate Assessment, I also communicated with various members of staff from TII (e.g., from the legal, structures and environmental sections); and, the consultant engaged by TII to prepare and administer the contract (including the consultant's ecological expert).

The specific works that I screened for Appropriate Assessment were the works detailed in GHC09032021_NW Bridges_Yr4_Co. Galway_Rev 1.0.xls, which I am advised and believe to be the works required under the contract in Year 4 of its duration in County Galway.

Having performed screening for Appropriate Assessment in respect of the specific works detailed in GHC09032021_NW Bridges_Yr4_Co. Galway_Rev 1.0.xls, I accept the recommendations of Atkins Limited that the Year 4 works proposed on the structures specifically listed in the table below, individually or in combination with other plans or projects, would not be likely to have a significant effect on any European site in view of the best scientific knowledge and the site's conservation objectives. I determine that an Appropriate Assessment of these proposed works is not required, as *it can be excluded* on the basis of objective scientific information following the screening done that the proposed works, individually or in combination with other plans or projects, will have a significant effect on any European site.



Dr. Vincent O'Malley

Head of the Environmental Policy and Compliance Section

Transport Infrastructure Ireland

Structure_ID	Structure_Name	TII Decision
GC-N06-003.00	Oranmore Bridge	Screened Out
GC-N17-002.00	Milltown Bridge	Screened Out
GC-N17-003.00	Kilphrasoga Bridge	Screened Out
GC-N17-003.90	Masmore Farm Access Culvert	Screened Out
GC-N17-004.00	Masmore Bridge	Screened Out
GC-N83-004.00	Cloonmore Bridge	Screened Out
GC-N83-005.00	Claretuam Bridge No.1	Screened Out
GC-N83-008.00	Claregalway Bridge	Screened Out
GC-N67-006.00	Oranmore Bridge	Screened Out
GC-N67-005.00	Clarín Bridge	Screened Out
GC-N67-004.00	Kilcolgan Bridge No.1	Screened Out
GC-N67-003.00	Kilcolgan Bridge No.2	Screened Out
GC-N59-001.00	Glennagevlagh Bridge	Screened Out
GC-N59-002.00	Leenan Bridge	Screened Out
GC-N59-003.00	Leenan Culvert No.1	Screened Out
GC-N59-004.00	Leenan Culvert No.2	Screened Out
GC-N59-005.00	Leenan Hotel Culvert	Screened Out
GC-N59-006.00	Laghtyfahaghaun River Bridge	Screened Out
GC-N59-007.00	Dernasliggaun Bridge	Screened Out
GC-N59-008.00	Tullyconor Bridge	Screened Out
GC-N59-009.00	Owenduff Bridge	Screened Out
GC-N59-011.00	Dawros River Bridge	Screened Out
GC-N59-012.00	Letterfrack Bridge	Screened Out

Structure_ID	Structure_Name	TII Decision
GC-N59-013.00	Barnaderg Bay Bridge No.1	Screened Out
GC-N59-016.00	Tullyboy Bridge	Screened Out
GC-N59-017.00	Moyard Bridge	Screened Out
GC-N59-018.00	Glenbrickeen Bridge	Screened Out
GC-N59-019.00	Clifden Bridge	Screened Out
GC-N59-021.00	Lettershea Bridge no.1	Screened Out
GC-N59-022.00	Lettershea Bridge no.2	Screened Out
GC-N59-025.00	Glencoaghan Bridge	Screened Out
GC-N59-026.00	Canal Bridge	Screened Out
GC-N59-027.00	Well Bridge	Screened Out
GC-N59-028.00	Recess Bridge	Screened Out
GC-N59-030.00	Derryneen Bridge	Screened Out
GC-N59-031.00	Cloonoppeen Bridge	Screened Out
GC-N59-032.00	Shannakeela Bridge No.1	Screened Out
GC-N59-033.00	Shannakeela Bridge No.2	Screened Out
GC-N59-034.00	Shannakeela Bridge No.3	Screened Out
GC-N59-036.00	Lurgan Bridge	Screened Out
GC-N59-037.00	Ardderry Lough Bridge	Screened Out
GC-N59-040.00	Oughterard Bridge	Screened Out
GC-N59-041.00	Laghtgannon Bridge	Screened Out
GC-N59-042.00	Rosscahill Bridge	Screened Out
GC-N59-043.00	Doonakilla Bridge	Screened Out
GC-N59-044.00	Knockbane Bridge	Screened Out

Structure_ID	Structure_Name	TII Decision
GC-N59-045.00	Gortnamona Bridge	Screened Out
GC-N59-046.00	Lough Kip river Bridge	Screened Out
GC-N59-047.00	Pollagh Bridge	Screened Out
GC-N60-001.00	Cloonee Bridge	Screened Out
GC-N60-002.00	Castlereagh Bridge	Screened Out
GC-N60-003.00	Ballymoe Bridge	Screened Out
GC-N63-001.00	Lackagh Bridge	Screened Out
GC-N63-001.80	Pollsillagh Bridge	Screened Out
GC-N63-003.00	Abbert River Bridge	Screened Out
GC-N63-004.00	Derreen Bridge No.1	Screened Out
GC-N63-005.00	Derreen Bridge No.2	Screened Out
GC-N63-006.00	Horseleap Crossroads Bridge	Screened Out
GC-N63-007.00	Rocky Bridge	Screened Out
GC-N63-008.00	South Approach Bridge to Canavans Bridge	Screened Out
GC-N63-009.00	Canavans Bridge	Screened Out
GC-N63-010.00	North Approach Bridge to Canavans Bridge	Screened Out
GC-N63-011.00	Cloonavihony Bridge	Screened Out
GC-N63-012.00	Windfield Bridge	Screened Out
GC-N63-013.00	New Bridge	Screened Out
GC-N63-014.00	Liscuill West Bridge	Screened Out
GC-N63-015.00	Drinaun Bridge	Screened Out
GC-N63-016.00	Cloonlyon River Bridge	Screened Out
GC-N63-017.00	Killeroran Bridge	Screened Out

Structure_ID	Structure_Name	TII Decision
GC-N63-018.00	Ballygar Bridge	Screened Out
GC-N65-001.00	Carrowkeel Bridge	Screened Out
GC-N65-002.00	Tooloobauntemple Bridge	Screened Out
GC-N65-003.00	Cahernamuck East Bridge	Screened Out
GC-N65-004.00	Kilmeen Bridge	Screened Out
GC-N65-005.00	Ballydavid Bridge	Screened Out
GC-N65-006.00	Carrowroe Bridge	Screened Out
GC-N65-007.00	Carrowshanbally Bridge	Screened Out
GC-N65-008.00	Hearnesebrooke Bridge	Screened Out
GC-N65-009.00	Portumna Bridge No. 1	Screened Out
GC-N65-010.00	Portumna Bridge No. 2	Screened Out
GC-N65-011.00	Portumna Bridge No. 3	Screened Out
GC-N67-001.00	Kinvarra Bridge	Screened Out
GC-N67-002.00	Balinderreen Bridge	Screened Out
GC-N83-003.00	Garraun Bridge	Screened Out
GC-N83-001.00	Castlefarm Bridge	Screened Out
GC-N84-001.00	Curraghmore Bridge	Screened Out
GC-N84-002.00	Addergoole Bridge	Screened Out
GC-N84-003.00	Ballinduff Bridge	Screened Out
GC-N84-004.00	Clooneen Bridge No. 1	Screened Out
GC-N84-005.00	Clooneen Bridge No. 2	Screened Out
GC-N84-006.00	Balrickard Bridge	Screened Out
GC-N84-007.00	Headford Bridge	Screened Out

