

APPROPRIATE ASSESSMENT (AA)

CONCLUSION STATEMENT

FOR THE

TRANSPORT STRATEGY

FOR THE

GREATER DUBLIN AREA

2022-2042

for: National Transport Authority

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Section 1 Introduction and Background

1.1 Introduction

This is the Appropriate Assessment (AA) Conclusion Statement for the Transport Strategy for the Greater Dublin Area 2022-2042. The obligation to undertake AA derives from Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC as transposed into Irish legislation by, inter alia, the European Communities (Birds and Natural Habitats) Regulations 2011, as amended. AA is a focused and detailed impact assessment of the implications of a strategic action (such as a plan, programme or strategy) or project, alone and in combination with other strategic actions and projects, on the integrity of any European Site in view of its conservation objectives. This Statement should be read in conjunction with the Strategy and associated documents including the AA Natura Impact Statement (NIS).

1.2 Legislative Requirements in relation to AA

In carrying out the AA for the Strategy, Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), as amended, requires, inter alia, that the Authority considers the matters arrayed in the first column on Table 1.1 below. The second column identifies how these issues have been addressed.

Table 1.1 Matters taken into account by the AA

Matter specified by the Regulations	How addressed by AA
(a) the Natura Impact Statement	An AA NIS accompanies this AA Conclusion Statement and the Strategy
(b) any other plans or projects that may, in combination with the plan or project under consideration, adversely affect the integrity of a European Site (see Section 2)	This AA Conclusion Statement accompanies the NIS that provides additional detail on European Sites.
(c) any supplemental information furnished in relation to any such report or statement	
(d) if appropriate, any additional information sought by the authority and furnished by the applicant in relation to a Natura Impact Report	Submissions made during the Strategy preparation/AA process that were relevant to the AA resulted in updates being made to the AA NIS.
(e) any information or advice obtained by the public authority	
(f) if appropriate, any written submissions or observations made to the public authority in relation to the application for consent for proposed plan or project	Submissions received resulted in minor modifications being made to the original Draft Strategy. These modifications were subject to screening for AA.
(g) any other relevant information	
	A final AA NIS was prepared taking into account all of the above.

In addition to the above, the Regulations require that the Authority makes available for inspection a determination regarding the outcome of the assessment with respect to whether or not the Strategy would adversely affect the integrity of a European site (of this determination is provided at Section 4).

1.3 AA Conclusion Statement

Non-Statutory AA guidance (Department of Environment, Heritage and Local Government, 2009) states that (Section 4.14) it *"is recommended that planning authorities include a clear and discrete AA Conclusion Statement as a distinct section in the written statement of the plan separate to the SEA statement."* This guidance recommends that the following issues are addressed by this AA Conclusion Statement:

- Summary of how the findings of the AA were factored into the Strategy (see Section 2);
- Reasons for choosing the Strategy as adopted, in the light of other reasonable alternatives considered as part of the AA process (see Section 3);
- A declaration that the Strategy as adopted will not have an adverse effect on the integrity of European Sites (provided at Section 4); and
- The NIS (the AA NIS is accompanied by this AA Conclusion Statement and has informed the AA Determination – see Section 4).

Furthermore, as stated in the Draft "Development Plans Guidelines for Planning Authorities" (Department of Housing, Local Government and Heritage, 2021):

"...There is a similar requirement to publish a determination relating to the AA that may have been undertaken. Under Article 6.3 of the Habitats Directive the determination (often termed an 'AA Conclusion Statement') must state as to whether or not the Draft Plan would adversely affect the integrity of a European site. However as stated in Section 3.5, this determination must have been made prior to the adoption of the Draft Plan."

As recommended, this AA Conclusion Statement addresses the above issues, including the signed AA Determination included at Section 4.

Section 2 How the findings of the AA were factored into the Strategy

The SEA and AA team worked with the Strategy-preparation team at the NTA in order to integrate requirements for environmental protection and management into the Plan.

The Strategy was prepared in an iterative manner whereby the Strategy and AA documents have informed subsequent versions of the other. The findings of the AA were integrated into the Strategy through mitigation measures. These mitigation measures ensure that there will be no significant effects to the ecological integrity of any European site from implementation of the Strategy. The mitigation measures most relevant to the protection of European sites are identified in Table 2.1 and Table 2.2 below.

Table 2.1 SEA/AA recommendations included within the Strategy that will contribute towards the protection of European sites

Strategy Section No.	SEA/AA Recommended Text
7.4.1 Environmental Assessment	The alignments and details of proposed transport projects set out in the Transport Strategy, unless already provided for by plans or proposals that have been subject to environmental assessment, are indicative only and are subject to further development as the design and planning processes for individual projects progress. New projects will be required to be subject to lower-tier environmental assessment and detailed corridor and route selection processes as relevant (including those arising from SEA recommendation "Corridor and Route Selection Process" integrated into Chapter 18.
16. Climate Action Management	<p>Climate 1 Additional demand management measures to achieve the GDA transport emissions target for 2030 will be implemented. The NTA will undertake a detailed assessment to establish the optimal framework of demand management measures, which is likely to include parking restraint, zonal charging, additional tolling / road pricing and/or further vehicle electrification.</p> <p>Climate 2 Through the implementation of the full measures set out in this strategy, in combination with the plans and programmes of Government, the NTA will contribute to a reduction in CO₂ emissions from transport in the GDA to below 1 MtCO₂eq by 2042.</p>
18. Environmental Protection and Management	<p>Introduction Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) have both been undertaken alongside the preparation of the Strategy. All recommendations arising from the SEA and AA processes have been integrated into the Strategy. Many of these recommendations have been set out in the SEA Environmental Report; however, some of the more strategic recommendations are detailed below. Compliance with these measures will facilitate environmental protection and management.</p>
18. Environmental Protection and Management	<p>Regulatory Framework for Environmental Protection and Management In implementing this Strategy, the Authority will cumulatively contribute towards – in combination with other users and bodies – the achievement of the objectives of the regulatory framework for environmental protection and management and will ensure that plans, programmes and projects comply with EU Directives – including the Habitats Directive (92/43/EEC), the Birds Directive (2009/147/EC), the Environmental Impact Assessment Directive (2011/92/EU, as amended by 2014/52/EC) and the Strategic Environmental Assessment Directive (2001/42/EC) – and relevant transposing Regulations.</p>
18. Environmental Protection and Management	<p>Lower-level Decision Making Lower levels of decision making and environmental assessment should consider the environmental sensitivities identified in Section 4 of the SEA Environmental Report, including the following:</p> <ul style="list-style-type: none"> • Special Areas of Conservation and Special Protection Areas; • Features of the landscape that provide linkages/connectivity to designated sites (e.g. watercourses and areas of semi-natural habitat, such as linear woodlands); • Salmonid Waters; • Shellfish Waters; • Freshwater Pearl Mussel catchments; • Nature Reserves; • Natural Heritage Areas and proposed Natural Heritage Areas; • Areas likely to contain a habitat listed in Annex 1 of the Habitats Directive; • Entries to the Record of Monuments and Places and Zones of Archaeological Potential; • Entries to the Record of Protected Structures; • Un-designated sites of importance to wintering or breeding bird species of conservation concern; • The National Biodiversity Action Plan; • Architectural Conservation Areas; and • Relevant landscape designations.

Strategy Section No.	SEA/AA Recommended Text
18. Environmental Protection and Management	<p>Where developments, arising from this strategy, do not require Environmental Impact Assessment, impacts to biodiversity will be assessed by the preparation of a non-statutory Ecological Impact Assessment (EcIA).</p> <p>Corridor and Route Selection Process The following Corridor and Route Selection Process will be undertaken for relevant infrastructure: Stage 1 – Route Corridor Identification, Evaluation and Selection</p> <ul style="list-style-type: none"> • Environmental constraints (including those identified in Section 4 of the SEA Environmental Report) and opportunities (such as existing linear infrastructure) will assist in the identification of possible route corridor options; • Potentially feasible corridors within which infrastructure could be accommodated will be identified and these corridors assessed. The selection of the preferred route corridor will avoid constraints and meet opportunities to the optimum extent, as advised by relevant specialists; and • In addition to the constraints identified above, site-specific field data may be required to identify the most appropriate corridors. <p>Stage 2 – Route Identification, Evaluation and Selection</p> <ul style="list-style-type: none"> • Potentially feasible routes within the preferred corridor will be identified and assessed. The selection of preferred routes will avoid constraints and meet opportunities to the optimum extent, as advised by relevant specialists, taking into account project level information and potential mitigation measures that are readily achievable; • In addition to the constraints identified above, site-specific field data may be required to identify the most appropriate routes; and • In addition to environmental considerations, the identification of route corridors and the refinement of the route lines is likely to be informed by other considerations. <p>European sites may be vulnerable to greenway/cycleway developments due to their location. As outlined in Appendix I to the AA Natura Impact Statement, amenity and leisure activities are already posing an existing level of threat and pressure to various European sites within the Greater Dublin Area. Some of these sites are in close proximity to a number of already proposed greenways as identified in the GDA Cycle Network Plan that accompanies this Strategy.</p> <p>Screening for AA, and subsequent stages of AA as relevant, will be required for all greenway/cycleway developments when implementing the Strategy.</p> <p>The feasibility and determination of each route is subject to presenting no significant adverse effect(s) to the integrity of European sites, alone or in combination with other plans or projects, where projects do not meet the strict criteria for imperative reasons of overriding public interest and/or where alternative routes are identified.</p>
18. Environmental Protection and Management	<p>Appropriate Assessment All projects and plans arising from this Strategy will be screened for the need to undertake Appropriate Assessment under Article 6 of the Habitats Directive. A plan or project will only be authorised after the competent authority has ascertained, based on scientific evidence, Screening for Appropriate Assessment, and subsequent Appropriate Assessment where necessary, that:</p> <ul style="list-style-type: none"> • The Plan or project will not give rise to adverse direct, indirect or secondary effects on the integrity of any European site (either individually or in combination with other plans or projects); or • The Plan or project will have significant adverse effects on the integrity of any European site (that does not host a priority natural habitat type/and or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000; or • The Plan or project will have a significant adverse effect on the integrity of any European site (that hosts a natural habitat type and/or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, restricted to reasons of 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. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000.
18. Environmental Protection and Management	<p>Protection of Natura 2000 Sites No plans or projects giving rise to adverse effects on the integrity of European sites (cumulatively, directly or indirectly) arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction,</p>

Strategy Section No.	SEA/AA Recommended Text
	operation, decommissioning or from any other effects shall be permitted on the basis of this Strategy (either individually or in combination with other plans or projects) ^{1, 2} .
18. Environmental Protection and Management	<p>Climate Change, Emissions and Energy</p> <p>As identified in the SEA Environmental Report that accompanies this Strategy, the Strategy facilitates sustainable mobility and associated positive effects, including those relating to:</p> <ul style="list-style-type: none"> • Reductions in greenhouse gas emissions and associated achievement of legally binding targets; • Reductions in emissions to air and associated achievement of air quality objectives, thereby contributing towards improvement or air quality and protection of human health; • Reductions in consumption of non-renewable energy sources and achievement of legally binding renewable energy targets; and • Energy security. <p>In implementing the Strategy, the Authority will support relevant provisions contained in the National Energy and Climate Plan, the Climate Adaptation Strategies of planning authorities within the Greater Dublin Area, the Climate Action Plan, National Climate Change Adaptation Framework (2018), the National Mitigation Plan (2017), and the Department of Transport's Sectoral Adaptation Plan for Transport Infrastructure, which builds on the 2017 "Adaptation Planning – Developing Resilience to Climate Change in the Irish Transport Sector" and the sectoral adaptation plans of local authorities.</p> <p>Cognisant of the imperative to reduce emissions, the Authority will seek to ensure primacy for transport options that provide for unit reductions in carbon emissions. This can most effectively be done by promoting public transport, walking and cycling, and by actively seeking to reduce car use in circumstances where alternative options are available.</p> <p>During the preparation and/or review of policies and plans relating to climate change, carbon emissions and energy usage, the Authority will seek to integrate Strategy objectives, as appropriate.</p>
18. Environmental Protection and Management	<p>Other SEA/AA Recommendations</p> <p>In implementing the Strategy, the Authority will ensure that the measures included in Table 9.2 of the SEA Environmental Report are complied with - measures relating to the protection of European sites are referred to on Table 5.2 in the AA Natura Impact Statement.</p>

Table 2.2 Provisions referred to in the Strategy under "Other SEA/AA Recommendations" that will contribute towards the protection of European sites

Requirement
<p>Construction and Environmental Management Plans</p> <p>Construction Environment Management Plans (CEMPs) shall be prepared in advance of the construction of relevant projects and implemented throughout. Such plans shall incorporate relevant mitigation measures which have been integrated into the Strategy and any lower tier Environmental Impact Statement or Appropriate Assessment. CEMPs typically provide details of intended construction practice for the proposed development, including:</p> <ol style="list-style-type: none"> a. location of the sites and materials compound(s) including area(s) identified for the storage of construction refuse, b. location of areas for construction site offices and staff facilities, c. details of site security fencing and hoardings, d. details of on-site car parking facilities for site workers during the course of construction, e. details of the timing and routing of construction traffic to and from the construction site and associated directional signage, f. measures to obviate queuing of construction traffic on the adjoining road network, g. measures to prevent the spillage or deposit of clay, rubble or other debris, h. alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public right of way during the course of site development works, i. details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels, j. containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained; such bunds shall be roofed to exclude rainwater, k. disposal of construction/demolition waste and details of how it is proposed to manage excavated soil, l. a water and sediment management plan, providing for means to ensure that surface water runoff is controlled such that no silt or other pollutants enter local water courses or drains, m. details of a water quality monitoring and sampling plan. n. if peat is encountered - a peat storage, handling and reinstatement management plan. o. measures adopted during construction to prevent the spread of invasive species (such as Japanese Knotweed). p. appointment of an ecological clerk of works at site investigation, preparation and construction phases. q. details of appropriate mitigation measures for lighting specifically designed to minimise impacts to biodiversity and ecological functioning.

¹ Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be: a) no alternative solution available; b) imperative reasons of overriding public interest for the project to proceed; and c) Adequate compensatory measures in place.

² Various other measures within Section 18, including the requirements at Section 18.4 "Corridor and Route Selection Process", will contribute towards the protection of European sites. Mitigation measures relevant to the protection of European sites are identified in the AA Natura Impact Statement.

Requirement
<p>Maintenance Plan</p> <ul style="list-style-type: none"> Lower tier assessments should examine the need for Maintenance Plans informed by environmental considerations to be prepared and implemented.
<p>Please refer to the overall approach and detail provided for by the Strategy, which focusses significant levels of investment in sustainable transport modes and addresses Climate Action Management at Chapter 16.</p>
<p>Air and Energy</p> <ul style="list-style-type: none"> Contribute towards: compliance and consistency with air quality legislation and the Air Quality Plan for Dublin; greenhouse gas emission targets; management of noise levels, including taking into account available noise maps and Noise Action Plans for the Dublin Agglomeration and surrounding parts of the Strategy area (including provisions relating to the preservation of Quiet Areas); and reductions in energy usage.
<p>Climate Adaptation and Resilience</p> <ul style="list-style-type: none"> Improve resilience and adaptation to climate change by taking into account issues including the following in the siting and design of projects: Extreme precipitation and risk of high river flows and associated implications including those relating to pluvial and fluvial flooding, bridge scour, soil erosion and landslides; Sea level rise and storm surge and associated implications including those relating to coastal erosion and coastal flooding; and Extreme temperatures and associated implications including those relating to the operation of transport and ancillary infrastructure and services.
<p>Noise</p> <ul style="list-style-type: none"> Contribute towards: compliance with air quality legislation; greenhouse gas emission targets; management of noise levels, including taking into account available noise maps and Noise Action Plans for the Dublin Agglomeration and surrounding parts of the Strategy area (including provisions relating to the preservation of Quiet Areas); and reductions in energy usage.
<p>Human Health</p> <ul style="list-style-type: none"> Assess proposals for development in terms of, inter alia, potential impact on existing adjacent developments, existing land uses and/or the surrounding landscape. Where proposed developments would be likely to have a significant adverse effect on the amenities of the area through pollution by noise, fumes, odours, dust, grit or vibration, or cause pollution of air, water and/or soil, mitigation measures shall be introduced in order to eliminate adverse environmental impacts or reduce them to an acceptable operating level.
<p>Green/Blueways and Existing Green Infrastructure</p> <ul style="list-style-type: none"> Proposals for greenway/blueway development should contribute towards the protection or enhancement of existing green infrastructure and have regard to the EPA and HSE research and associated toolkits into the benefits of blue and green spaces.
<p>Protection of Biodiversity including Natura 2000 Network</p> <ul style="list-style-type: none"> Contribute, as appropriate, towards the protection of designated ecological sites including Special Areas of Conservation (SACs) and Special Protection Areas (SPAs); UNESCO World Heritage and UNESCO Biosphere sites; Ramsar Sites; Salmonid Waters; Shellfish Waters; Freshwater Pearl Mussel catchments; Flora Protection Order sites and species; Wildlife sites (including Nature Reserves); the Water Framework Directive Register of Protected Areas; Natural Heritage Areas (NHAs) and proposed Natural Heritage Areas (pNHAs); Wildfowl Sanctuaries (see S.I. 192 of 1979); and Tree Preservation Orders (TPOs). Contribute towards compliance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines, including the following and any updated/superseding documents): EU Directives, including the Habitats Directive (92/43/EEC, as amended)³, the Birds Directive (2009/147/EC)⁴, the Environmental Liability Directive (2004/35/EC)⁵, the Environmental Impact Assessment Directive (2011/92/EU, as amended by 2014/52/EC), the Water Framework Directive (2000/60/EC) and the Strategic Environmental Assessment Directive (2001/42/EC). National legislation, including the Wildlife Acts 1976 and 2010 (as amended), the Planning and Development Act 2000 (as amended) and associated Regulations, Environmental Impact Assessment Regulations, the European Union (Water Policy) Regulations 2003 (as amended), the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), the European Communities (Environmental Liability) Regulations 2008 (as amended)⁶ and the Flora Protection Order 2015. National policy guidelines (including any clarifying Circulars or superseding versions of same), including the "Landscape and Landscape Assessment" Draft Guidelines 2000, the Environmental Impact Assessment Sub-Threshold Development Guidelines 2003, Strategic Environmental Assessment Guidelines 2004 and the Appropriate Assessment Guidance 2010. Catchment and water resource management Plans, including the relevant River Basin Management Plan and Flood Risk Management Plan (including any superseding versions of same). Biodiversity Plans and guidelines, including the 3rd National Biodiversity Plan 2017-2023 (including its measures relating to ecological corridors and any superseding version of same) and the All Ireland Pollinator Plan. Freshwater Pearl Mussel Regulations (S.I. 296 of 2009) (including any associated designated areas or management plans). Ireland's Environment 2020 - An Assessment (EPA, 2020, including any superseding versions of same), and to make provision where appropriate to address the report's goals and challenges.

³ Including Annex I habitats, Annex II species and their habitats and Annex IV species and their breeding sites and resting places (wherever they occur).

⁴ Including Annex I species and other regularly occurring migratory species, and their habitats (wherever they occur).

⁵ Including protected species and natural habitats.

⁶ Including protected species and natural habitats.

Requirement
<p>NPWS & Integrated Management Plans</p> <ul style="list-style-type: none"> Article 6(1) of the Habitats Directive requires that Member States establish the necessary conservation measures for European sites involving, if need be, appropriate management plans specifically designed for the sites or integrated into other development plans. The NPWS's current priority is to identify site specific conservation objectives; management plans may be considered after this is done. Where Integrated Management Plans are being prepared for European sites (or parts thereof), the National Parks and Wildlife Service shall be engaged with in order to ensure that plans are fully integrated with the Strategy and other plans and programmes, with the intention that such plans are practical, achievable and sustainable and have regard to all relevant ecological, cultural, social and economic considerations, including those of local communities.
<p>Coastal Zone Management</p> <ul style="list-style-type: none"> Support measures to protect the coast, the coastal edge and coastal habitats; and facilitate an Integrated Coastal Zone Management approach to ensure the conservation, management and projection of man-made and natural resources of the coastal zone.
<p>Biodiversity and Ecological Networks</p> <ul style="list-style-type: none"> Contribute towards the protection and enhancement of biodiversity and ecological connectivity, including woodlands, trees, hedgerows, semi-natural grasslands, rivers, streams, natural springs, wetlands, geological and geo-morphological systems, other landscape features, natural lighting conditions, and associated wildlife where these form part of the ecological network and/or may be considered as ecological corridors or stepping stones in the context of Article 10 of the Habitats Directive.
<p>Protection of Riparian Zone and Waterbodies and Watercourses</p> <ul style="list-style-type: none"> Help to ensure that waterbodies and watercourses are protected from inappropriate development, including rivers, streams, associated undeveloped riparian strips, wetlands and natural floodplains. This will include the preservation habitat features/structure, such as treeline density, and protection buffers in riverine, wetland and coastal areas, as appropriate.
<p>Biodiversity including non-designated biodiversity</p> <ul style="list-style-type: none"> Ensure the undertaking of appropriately detailed surveying and assessment at project/EIA level and minimisation of loss of biodiversity, including old trees or tree lines or areas of vegetation, as a result of the development of new or widened infrastructure. Help to ensure the appropriate protection of non-designated habitat features, landscapes and biological diversity. Where possible, to strive to achieve no net loss of these features as a result of new development granted permission under the Plan. Contribute towards the protection and management of fisheries⁷ as appropriate and take into account Inland Fisheries Ireland's "Planning for Watercourses in the Urban Environments" (2020) for developments along watercourses.
<p>Lighting Sensitive Species</p> <ul style="list-style-type: none"> Lighting fixtures should provide only the amount of light necessary for personal safety and should be designed so as to avoid creating glare or emitting light above a horizontal plane. Lighting fixtures should have minimum environmental impact, thereby contributing towards the protection of amenity and the protection of light sensitive species such as bats.
<p>Non-native invasive species</p> <ul style="list-style-type: none"> Support, as appropriate, the National Parks and Wildlife Service's efforts to seek to control and manage the spread of non-native invasive species on land and water. Where the presence of non-native invasive species is identified at the site of any proposed development or where the proposed activity has an elevated risk of resulting in the presence of these species, details of how these species will be managed and controlled will be required.
<p>National Peatlands Strategy</p> <ul style="list-style-type: none"> Support, as appropriate, any relevant recommendations contained in the National Peatlands Strategy 2015.
<p>Construction Waste</p> <ul style="list-style-type: none"> Demonstrate that all waste arising during construction phase will be managed and disposed of in a way that ensures the provisions of the Waste Management Acts and regulations and any of the relevant Local Authorities Waste Management Plans. Construction Waste Management Plans will be implemented to minimise waste and ensure correct handling and disposal of construction waste streams in accordance with the Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects, Department of the Environment, July 2006.
<p>Waste Disposal</p> <ul style="list-style-type: none"> Safeguard the environment by seeking to ensure that residual waste is disposed of appropriately.
<p>Public Assets and Infrastructure</p> <ul style="list-style-type: none"> Contribute towards the protection of public assets and infrastructure including resources such as: public open spaces, parks and recreational areas; public buildings and services; and utility infrastructure (electricity, gas, telecommunications, water supply, wastewater infrastructure etc.
<p>Water Framework Directive and associated legislation</p> <ul style="list-style-type: none"> Contribute towards, as appropriate, the protection of existing and potential water resources, and their use by humans and wildlife, including rivers, streams, wetlands, groundwater, coastal waters and associated habitats and species in accordance with the requirements and guidance in the EU Water Framework Directive 2000 (2000/60/EC), the European Union (Water Policy) Regulations 2003 (as amended), the European Communities Environmental Objectives (Surface Waters) Regulations 2009 (SI No. 272 of 2009), the Groundwater Directive 2006/118/EC and the European Communities Environmental Objectives (groundwater) Regulations, 2010 (S.I. No. 9 of 2010) and other relevant EU Directives, including associated national legislation and policy guidance (including any superseding versions of same). To support the application and implementation of a catchment planning and management approach to development and conservation, including the implementation of Sustainable Drainage System techniques for new development.

⁷ Including with regard to water quality, surface water hydrology, fish spawning and nursery areas, passage of migratory fish, ecosystem structure and functioning and sport and commercial fishing and angling resources.

Requirement
<p>River Basin Management Plan</p> <ul style="list-style-type: none"> Support the implementation of the relevant recommendations and measures as outlined in the most up to date River Basin Management Plan, and associated Programme of Measures. Proposed plans, programmes and projects shall not have an unacceptable impact on the water environment, including surface waters, groundwater quality and quantity, river corridors and associated woodlands. Also to have cognisance of, where relevant, the EU's Common Implementation Strategy Guidance Document No. 20 and 36 which provide guidance on exemptions to the environmental objectives of the Water Framework Directive.
<p>Bathing Water</p> <ul style="list-style-type: none"> Contribute towards the achievement of the requirements of the EU Bathing Water Directive and transposing Bathing Water Quality Regulations (SI No. 79 of 2008) and EU Mandatory Values, as a minimum, and EU Guide Values, where possible.
<p>Flood Risk Management Guidelines</p> <ul style="list-style-type: none"> Comply with the Planning System and Flood Risk Management Guidelines (2009, DEHLG/OPW) (including any clarifying Circulars or superseding versions of same) and relevant outputs of the Catchment and Flood Risk Assessment and Management Studies.
<p>Surface Water Drainage and Sustainable Drainage Systems (SuDs)</p> <ul style="list-style-type: none"> Ensure that new development is adequately serviced with surface water drainage infrastructure and promote the use of Sustainable Drainage Systems as appropriate.
<p>Soil Protection and Contamination</p> <ul style="list-style-type: none"> Ensure that adequate soil protection measures are undertaken where appropriate. Adequate and appropriate investigations shall be carried out into the nature and extent of any soil and groundwater contamination and the risks associated with site development work, where brownfield development is proposed.
<p>Areas of geological interest and GSI Datasets</p> <ul style="list-style-type: none"> Contribute towards the appropriate protection and maintenance of the character, integrity and conservation value of features or areas of geological interest. Take GSI datasets into account as appropriate, including those relating to geohazards, groundwater, geohazards, natural resources and coastal vulnerability.

Section 3 Consideration of Alternatives

AA considerations relating to European sites informed the Strategic Environmental Assessment (SEA) process, including the consideration of reasonable alternatives.

3.1 Need for the Strategy

Under the Dublin Transport Authority Act, the National Transport Authority (NTA) must review its transport strategy every 6 years. Arising from the review of the 2016 plan, an updated strategy has been developed which sets out the framework for investment in transport infrastructure and services over the next two decades to 2042.

3.2 Existing provisions already in place

The Strategy aligns with legislation and documents setting out public policy for land use, transport and climate action and will be incorporated into the review and preparation of these documents. These include the National Planning Framework (and associated National Development Plan), the Strategic Investment Framework for Land Transport, the National Investment Framework for Transport in Ireland, the Regional Economic and Spatial Strategy for the Eastern and Midland Region (as adopted by the Eastern and Midland Regional Assembly, and finalised in January 2020) and associated Dublin Metropolitan Area Strategic Plan, the City and County Development Plans, Local Area Plans and Planning Schemes. Certain transport related proposals already provided for by these documents (and considered by their environmental assessments) are amongst those included within the Strategy. This Transport Strategy is based on national policies on sustainability as set out in the Climate Action Plan and recent climate action legislation.

3.3 Alternatives Considered

The various elements of the Strategy are at different stages in the planning/environmental process. Furthermore, different elements of the Strategy will be developed by different agencies, at different times, according to different funding allocations.

Transportation is highly integrated with both land-use planning and the provision of other public infrastructure, such as water services. Different alternative scenarios will give rise to different land-use patterns, resulting in different environmental effects (including potential effects related to ecology and European sites).

The Strategy was developed and assessed in the context of three notional **Investment Scenarios** as follows:

1. Business as Usual Scenario that incorporates committed investment in the road network and public transport only.

Choice 1 is the 'Business As Usual' scenario. This scenario is based on the continuation of the trend that investment in transport infrastructure in the GDA would be predominantly focussed on a mix of road capacity improvements and public transport schemes, such as BusConnects Network Redesign to accommodate the growth and changes in travel demand.

Committed improvements would be realised. However, investment in Strategic Public Transport, such as Metrolink would not be included. Investment in walking and cycling networks would remain static.

Land use policy within the GDA would continue in line with the RSES.

2. Improvements to Public Transport and Sustainable Travel - scenario this substantially increases public transport investment

Choice 2 is to prioritise investment in providing a comprehensive public transport network in line with the Strategy proposals.

New heavy rail, metro and luas infrastructure would be built, and frequencies on existing routes would be increased. Bus services would be significantly improved in line with the BusConnects Project, with the full implementation of the Network Redesign, Ticketing and Core Bus Corridor elements of the Programme.

The GDA Cycle Network would be delivered in full, and walking permeability prioritised.

Land use policy within the GDA would continue in line with the RSES.

3. **Improvements in Public Transport and Sustainable Travel, with complimentary Demand Management Measures** - this scenario has elements of Scenario 2 but with the addition of demand management measures to influence the choice of travel

Choice 3 builds upon Choice 2 and represents the optimal utilisation of the transport network in the GDA.

Measures such as parking restrictions, reduced accessibility and permeability for vehicular traffic, particularly in town centres and other destinations will be included.

In addition a network wide reduction in road speed limits for vehicular traffic, and reconfigured junction signal times in favour of pedestrian / cycle / public transport movement will be implemented.

Land use policy within the GDA would continue in line with the RSES.

3.4 Summary of Evaluation of Alternatives

Each of the Scenarios would help to contribute towards meeting the various Strategy challenges, with varying degrees of success. These challenges are detailed in the Strategy and comprise:

- Climate Change
- Recovery from the Covid-19 Pandemic
- Servicing the Legacy Development Patterns
- Revitalisation of the City Centre and Town Centres
- Transformation of the Urban Environment
- Ensuring Universal Access
- Serving Rural Development
- Improving Health and Equality
- Fostering Economic Development
- Delivering Transport Schemes

As Scenario 1 “Business as Usual” would progress sustainable mobility initiatives to a lesser extent than the other two scenarios, it would contribute towards meeting the various Strategy challenges the least. It would not be as successful as the other scenarios at addressing congestion, contributing towards climate action and revitalising urban areas.

A mix of road capacity improvements and public transport schemes would potentially conflict with the protection of the environment, however, by not progressing certain strategic public transport projects these potential direct conflicts with the environment would be avoided.

Indirectly, however, by not fully addressing the various Strategy challenges, this scenario would see greater demand for development in more dispersed settlements, making compact growth more difficult to achieve and increased levels of sprawl more likely. Such development, which would have higher levels of car dependency and result in more trips by car, would be likely to result in the following adverse environmental effects:

- Significant delays in reaching targets for lower emissions to air – including noise and pollutants – and this would be compounded by lower utilisation of public transportation;
- A failure to maximise contributions towards improving sustainable mobility and managing traffic flows;
- A reduced efficiency of energy resource utilisation;
- Reduction in the economic viability of services, such as water services, and heightened potential for adverse effects on the protection of waters - and associated interactions with ecology and human health;
- More frequent and severe conflicts with environmental components including biodiversity (including potential effects related to ecology and European sites), air and water; and
- Reduction in potential placemaking in urban areas as a result of failing to replace motorised modes of transport with more sustainable and non-motorised modes.

Scenario 2 “Improvements to Public Transport and Sustainable Travel” would prioritise investment in providing a comprehensive public transport network:

- New heavy rail, metro and luas infrastructure would be built, and frequencies on existing routes would be increased.
- Bus services would be significantly improved in line with the BusConnects Project, with the full implementation of the Network Redesign, Ticketing and Core Bus Corridor elements of the Programme.
- The GDA Cycle Network would be delivered in full, and walking permeability prioritised.

In this way, Scenario 2 would significantly progress sustainable mobility initiatives and would make significant contributions towards meeting the various Strategy challenges listed above. It would be significantly more successful than Scenario 1 at addressing congestion, contributing towards climate action and revitalising urban areas, for example.

As Scenario 2 would provide for the construction of many new projects to provide a comprehensive public transport network, it would present potential direct conflicts with the environment, especially during the construction phase and there would be a requirement to mitigate these.

By making significant contributions in addressing the various Strategy challenges, this scenario would help to facilitate compact growth and reduce sprawl. Compact growth accompanied by a comprehensive public transport network would have lower levels of car dependency and result in fewer trips by car and would be likely to make significant contributions towards:

- Reaching targets for lower emissions to air – including noise and pollutants;
- Improving sustainable mobility and managing traffic flows;
- Increasing the efficiency of energy resource utilisation;
- Increasing in the economic viability of services, such as water services, and lowering the potential for adverse effects on the protection of waters - and associated interactions with ecology and human health;
- Reducing the frequency and severity of conflicts with environmental components, including biodiversity, air and water; and
- Increasing the potential of placemaking in urban areas as a result of replacing motorised with more sustainable and non-motorised modes of transport.

Notwithstanding the above, Scenario 2 would not incorporate Demand Management Measures. By incorporating, Demand Management Measures, Scenario 3 "Improvements in Public Transport and Sustainable Travel, with complimentary Demand Management Measures" would optimise the utilisation of the transport network in the GDA. Demand Management Measures would encompass:

- Parking restrictions
- Reduced accessibility and permeability for vehicular traffic, particularly in town centres and other destinations
- Network wide reduction in road speed limits for vehicular traffic
- Reconfigured junction signal times in favour of pedestrian / cycle / public transport movement

Scenario 3 would progress sustainable mobility initiatives the most out of each of the three scenarios and would make the greatest contribution towards meeting the various Strategy challenges listed above. It would be more successful than both Scenarios 1 and 2 at addressing congestion, contributing towards climate action and revitalising urban areas, for example. Scenario 3 would build on Scenario 2 and the positive environmental effects of implementing a Transport Strategy under this scenario would be greater than under both Scenarios 1 and 2.

3.5 Reasons for Choosing the Selected Alternatives in light of Other Reasonable Alternatives Considered

Scenario 3 is the selected scenario for the Strategy having regard to both:

1. The environmental effects which were informed by AA considerations relating to European sites and are summarised above; and
2. Planning - including social and economic - effects that also were considered by the Authority.

Section 4 AA Determination

Appropriate Assessment Determination
under the
European Communities (Birds and Natural Habitats) Regulations 2011
(as amended)
for the
Transport Strategy for the Greater Dublin Area 2022-2042

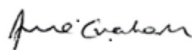
In order to comply with the requirements of the Habitats Directive and Regulation 42 (11) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. No. 477), as amended, this determination is being made by the National Transport Authority as to whether the Transport Strategy for the Greater Dublin Area 2022-2042 to be finalised (incorporating the Draft Strategy that was placed on public display and subsequent modifications) would adversely affect the integrity of any European site.

In carrying out this AA, the National Transport Authority is taking into account all relevant matters specified under Regulation 42 (12) of the European Communities (Bird and Natural Habitats) Regulations 2011 (as amended). The AA Natura Impact Statement, which considers other plans and projects, has been carefully considered and its reasoning and conclusion agreed with and adopted. All other documents prepared and submitted during the preparation process for the Strategy were also considered in making this determination, including the Strategy to be finalised and written submissions made on the Draft Strategy and associated documents while they were on public display.

It is determined that the risks to the safeguarding and integrity of the qualifying interests, special conservation interests and conservation objectives of the European sites have been addressed by the inclusion of mitigation measures that will prioritise the avoidance of effects in the first place and mitigate effects where these cannot be avoided. In addition, all lower-level plans and projects arising through the implementation of the Strategy will themselves be subject to AA when further details of design and location are known.

In-combination effects from interactions with other plans and projects was considered in the assessment and the mitigation measures incorporated into the Strategy are seen to be robust to ensure there will be no significant adverse effects as a result of the implementation of the Strategy either alone or in-combination with other plans/projects.

Having incorporated mitigation measures¹, it is determined that the Draft Transport Strategy for the Greater Dublin Area is not foreseen to give rise to any significant adverse effect on the integrity of any designated European site, alone or in combination with other plans or projects². This evaluation is made in view of the conservation objectives of the habitats or species, for which these sites have been designated. Therefore, no further assessment is required.



Signatory:

Anne Graham

Date:

13th January 2023

¹ These are: Strategy Section No. 7.4.1 "Environmental Assessment"; Chapter 16 "Climate Action Management" (under "Climate 1" and "Climate 2"); Chapter 18 "Environmental Protection and Management" (under "Regulatory Framework for Environmental Protection and Management"; "Lower-level Decision Making"; "Corridor and Route Selection Process"; "Appropriate Assessment"; "Protection of Natura 2000 Sites"; "Climate Change, Emissions and Energy"; and "Other SEA/AA Recommendations".

Relevant measures under "Other SEA/AA Recommendations" are: "Construction and Environmental Management Plans"; "Maintenance Plan"; "Air and Energy"; "Climate Adaptation and Resilience"; "Noise"; "Human Health"; "Green/Blueways and Existing Green Infrastructure"; "Protection of Biodiversity including Natura 2000 Network"; "NPWS & Integrated Management Plans"; "Coastal Zone Management"; "Biodiversity and Ecological Networks"; "Protection of Riparian Zone and Waterbodies and Watercourses"; "Biodiversity including non-designated biodiversity"; "Lighting Sensitive Species"; "Non-native invasive species"; "National Peatlands Strategy"; "Construction Waste"; "Waste Disposal"; "Public Assets and Infrastructure"; "Water Framework Directive and associated legislation River Basin Management Plan"; "Bathing Water"; "Flood Risk Management Guidelines"; "Surface Water Drainage and Sustainable Drainage Systems (SuDs)"; "Soil Protection and Contamination" and; "Areas of geological interest and GSI Datasets". For full detail, refer to Section 5 "Mitigation Measures" of the Natura Impact Statement.

² Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be: a) no alternative solution available, b) imperative reasons of overriding public interest for the plan to proceed; and c) Adequate compensatory measures in place.