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LIMERICK GREENWAY

EIA Screening Report for Cattle Overpass ST08

Prepared for: Limerick City and County Council



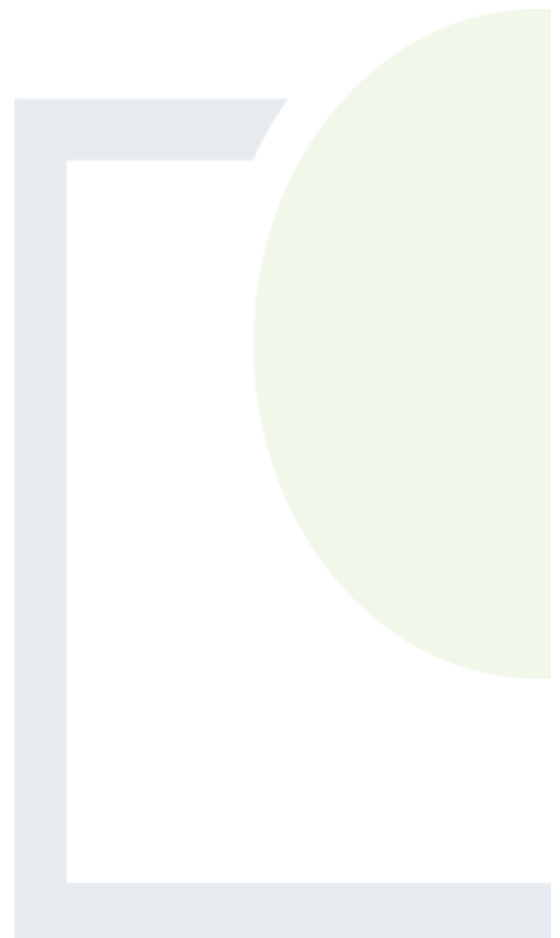
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EIA SCREENING REPORT FOR CATTLE OVERPASS ST08

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Abstract: This EIA Screening Report is in relation to the 1no. proposed cattle overpass ST08 to be installed on the Limerick Greenway near Abbeyfeale Co. Limerick. The overpass is required to segregate farm traffic and greenway users by allowing livestock and farm machinery to pass over the existing greenway.

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1. DESCRIPTION AND KEY CHARACTERISTICS OF DEVELOPMENT

1.1 Development Description - Overview

The proposed overpass is located in the townland of Port on the Limerick Greenway approximately 3km west of Abbeyfeale. The existing site is surrounded by agricultural lands. An existing greenway travels from east to west from Abbeyfeale to the Kerry border along the corridor of the old Limerick to Tralee rail line. The overpass proposed at this location in Port is designed to facilitate farm machinery and livestock traversing the established greenway. Currently farm machinery and livestock cross the greenway via two gates either side of the greenway. Due to the high level of farm activity this causes some issues for the operation of the greenway and for the local farmers. The greenway surfacing at the farm crossing regularly becomes muddy and slippery leading to difficulty and risk of injury to greenway users. Although interaction between farm machinery, livestock and greenway users is regulated by the existing farm gates there is still a risk of injury and accident, particularly when considering the relative vulnerability of the greenway users relative to the scale of farm machinery and livestock.

The proposed overpass will allow farm machinery and livestock to travel over and above the greenway, fully segregating the two activities. The full segregation will all but eliminate the health and safety risk and increase user experience and utility for both greenway users and the farm owner.

The overpass will consist of a precast concrete box culvert structure approximately 5m long. The precast unit will be installed close to the existing greenway level. Greenway users will travel through the centre of the precast unit while farm machinery and livestock will travel over the top of the unit. On approach to the overpass the existing farm road will rise up on earthen embankments in order to travel over the top of the overpass. The embankments will be topsoiled and seeded to blend in with the surrounding lands. Drainage will follow sustainable design principals to maintain existing over and under land water flows. A small field drain runs through the proposed site and this will be piped under the proposed embankments to ensure it flow remains uninterrupted. The farm road shall be surfaced with a natural unbound and permeable aggregate to tie in with the existing surfacing. The greenway surfacing will be reinstated to match the existing.



2. EIA SCREENING

2.1 Introduction

EIA is a means of drawing together an assessment of the potential significant environmental effects arising from a proposed development in a systematic way. It ensures that environmental implications of decisions on development proposals are taken into account before the decisions are made. The purpose of the screening report is to assist the competent authority, Limerick City and County Council to determine if EIA is required for this project.

This EIA Screening clearly demonstrates that the proposal will not give rise to any significant environmental effects that would warrant the carrying out of an Environmental Impact Assessment; as evident from the assessment, and reports from respective consultants submitted in support of the application.

2.2 EIA Project Types and Legislative Basis

The European Union Directive 2014/52/EU on the assessment of the effects of certain public and private projects on the environment, requires member states to ensure that a competent authority carries out an assessment of the environmental impacts of certain types of projects, as listed in the Directive, prior to development consent being given for the project.

The EIA Directive requires that, *“in order to ensure a high level of protection of the environment and human health, screening procedures and EIA assessments should take account of the impact of the whole project in question, including where relevant, its subsurface and underground, during the construction, operational and, where relevant demolition phases”*.

The Requirement for the EIA of various types of development are transposed into Irish legislation under the:

- Planning and Development Act and the Planning and Development (Amendment) Regulations 2001-2021. Schedule 5, Part 1 of the Planning Regulations includes a list of projects which are subject to EIA based on their type. Part 2 of the same schedule includes a list of projects which by reason of scale also fall into the EIA category.
- European Union (Roads Act 1993) (Environmental Impact Assessment)(Amendment) Regulations 2019. Section 5 amends Section 50 of the Roads Act 1993 as amended in respect of road developments that shall be the subject of an EIA. Article 8 of the Roads Regulations 1994 prescribe road development that shall be subject to an EIA.

2.3 Determining Whether EIA is Required

The Requirement for the EIA of various types of development are transposed into Irish legislation under the. Schedule 5, Part 1 of the Planning and Development Act and the Planning and Development (Amendment) Regulations 2001-2021, together with the Roads Act 1993, and Road Regulations 1994 as amended. These Acts and Regulations define a list of projects which are subject to mandatory EIA based on their type.



Reviewing the applicable Acts and Regulations, whilst the proposed structure is not part of a public road scheme, nevertheless employing the precautionary principle the proposed overpass could be considered to fall into the bridge/tunnel category pursuant to article 8 of the Roads Regulations 1994, which specifies that a bridge or tunnel which would exceed 100m in length should be subjected to a mandatory EIA.

Due to the scale of the proposed development (5.0m in length) proposed development does not meet any of the criteria requiring mandatory EIA.

Schedule 5 of the Planning and Development Act and the Planning and Development (Amendment) Regulations 2001-2021 also includes a section relating to 'sub threshold' (discretionary) EIA. This is where any project listed in Schedule 5 Part 2 which does not exceed a quantity, area or other limit specified in respect of the relevant class of development should be subject to EIA where the project would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7 of the Regulations. Therefore whilst the project by virtue of its scale is minor in nature, applying the precautionary principle the project is screened for EIA below.

2.4 Sub-Threshold EIA Screening

This section of this report screens the project in the context of the criteria set out in Schedule 7 and Annex III of the EIA Directive. The screening demonstrates that there will be no significant impacts associated with the proposed development on the receiving environment in isolation or cumulatively with other projects or proposals in the area.

Annex III of the EIA Directive details the criteria to be used to determine whether a project should be subject to EIA and Schedule 7 of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 implements this Directive in Ireland.

This assessment utilises the Screening Checklist as detailed in the EU Guidelines to screen the proposed development with regard to EIA requirements and this checklist encompasses the details required under Annex III of the EIA Directive and in Schedule 7 of the 2018 EIA Regulations – refer to Table 2.1. Any potential impacts are then assessed with regard to their characteristics. In completing this screening assessment regard has also been had to EIA Screening Guidelines contained in the Office of the Planning Regulator's Practice Note PN02 Environmental Impact Assessment Screening.



Table 2.1: Sub Threshold EIA Screening Checklist

Checklist Questions	Yes/No/Briefly describe	Is this likely to result in a significant impact? Yes/No/Why?
<p>1. Will construction, operation, decommissioning or demolition works of the Project involve actions that will cause physical changes in the locality (topography, land use, changes in waterbodies, etc.)?</p>	<p>Yes.</p> <p>Local changes to the topography will be required in order to elevate the farm livestock and machinery above existing greenway level. A small embankment will be construction to raise the existing farm track 3.5m over the existing greenway.</p> <p>There will not be a change in land use as a result of the proposed development. The proposed development is designed to facilitate the current agricultural and recreational land users.</p> <p>Existing drainage to nearby waterbodies will be maintained. A short section of existing field drain will be piped to allow it flow beneath the proposed embankments.</p>	<p>No, this is not likely to result in a significant impact, due to the maintenance of the current land uses, the maintenance of existing water flows, and due to the scale of the development</p>
<p>2. Will construction or the operation of the Project use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or are in short supply?</p>	<p>Yes. The proposed development occupies land currently used for the greenway and existing farm tracks. A small amount of grazing land will be lost to the construction of the overpass embankments. This land required for the embankments is negligible in the context of the overall farmland available.</p> <p>Natural resources will be used in the form of materials for construction. Energy will be used to power construction machinery during the construction period. During the operational phase, only minor amounts of energy and materials will be used for regular maintenance activities.</p>	<p>No, due to the scale of the development this is not likely to result in a significant impact.</p>



Checklist Questions	Yes/No/Briefly describe	Is this likely to result in a significant impact? Yes/No/Why?
3. Will the Project involve the use, storage, transport, handling or production of substances or materials which could be harmful to human health, to the environment or raise concerns about actual or perceived risks to human health?	No.	No, this is not likely to result in a significant impact.
4. Will the Project produce solid wastes during construction or operation or decommissioning?	Yes. There will be some material waste during construction and decommissioning.	No, this is not likely to result in a significant impact. All waste will be removed by a licenced waste operator and disposed of appropriately.
5. Will the Project release pollutants or any hazardous, toxic or noxious substances to air or lead to exceeding Ambient Air Quality standards in Directives 2008/50/EC and 2004/107/EC?	No	No, this is not likely to result in a significant impact.
6. Will the Project cause noise and vibration or the releasing of light, heat energy or electromagnetic radiation?	During construction noise emissions will occur from construction plant and will be a maximum 63 dBLaeq at nearest receptors. No heat energy or electromagnetic radiation will be released	No, levels of noise and vibration anticipated during construction are not likely to cause significant impact.
7. Will the Project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	No drainage for the proposed structure will be designed in accordance with best practice to maintain existing water flows. Run off from farm activities will be managed in accordance with current regulations and established best practice.	No, this is not likely to result in a significant impact with normal best practice construction practices and sustainable designed on site drainage
8. Will there be any risk of accidents during construction or operation of the Project that could affect human health or the environment?	Yes. A Health and Safety Plan and emergency response procedures will be prepared to identify the hazards and ensure that the overall risks are mitigated down to a low level.	No, this is not likely to result in a significant impact with normal best practice construction practices implemented on site.



Checklist Questions	Yes/No/Briefly describe	Is this likely to result in a significant impact? Yes/No/Why?
9. Will the Project result in environmentally related social changes, for example, in demography, traditional lifestyles, employment?	No, the proposed project will improve the safety and utility for existing greenway and farm users.	No, this is not likely to result in a significant impact.
10. Are there any other factors that should be considered such as consequential development which could lead to environmental impacts or the potential for cumulative impacts with other existing or planned activities in the locality?	No. The proposed structure will form part of the Limerick greenway. The greenway has already been constructed, however six similar structures are planned and previously consented for other sections of the greenway. The nearest proposed neighbouring structure underpass ST06 is 2.2km east from the location of the subject of this assessment, overpass ST08. It has been determined by the Local Authority that the previously consented structures will not have significant Impacts on their surrounding environment. On this basis no significant cumulative effects are likely by the addition of ST08.	No. The project will not result in significant cumulative impacts with other projects.
11. Is the Project located within or close to any areas which are protected under international, EU or national or local legislation for their ecological, landscape, cultural or other value, which could be affected by the Project?	No. The Lower Shannon SAC (002165) is located 350m from the proposed development, however based on the site surveys and subsequent AA screening completed the proposed development will not have any significant impact on the SAC.	No. The project will not result in significant impacts.
12. Are there any other areas on or around the location that are important or sensitive for reasons of their ecology e.g. wetlands, watercourses or other waterbodies, the coastal zone, mountains, forests or woodlands, that could be affected by the Project.	No. A site survey and ecological appraisal of nearby sites has been completed and significant impact from the proposed development have been eliminated.	No. The project will not result in significant impacts.



Checklist Questions	Yes/No/Briefly describe	Is this likely to result in a significant impact? Yes/No/Why?
13. Are there any areas on or around the location that are used by protected, important or sensitive species of fauna or flora e.g. for breeding, nesting, foraging, resting, overwintering, migration, which could be affected by the Project?	No. A site survey and ecological appraisal of nearby areas has been completed and significant impact from the proposed development have been eliminated.	No. The project will not result in significant impacts
14. Are there any inland, coastal, marine or underground waters (or features of the marine environment) on or around the location that could be affected by the Project?	No. there are no inland, marine or underground waters on or around the location that will be affected.	No. The project will not result in significant impacts
15. Are there any areas or features of high landscape or scenic value on or around the location which could be affected by the Project?	The area is located in the western uplands as defined by the Limerick City and County Development Plan. The proposed development will be a buried structure, the most visible parts of the proposed development will be the grassed embankment and proposed hedgerows planting which are in keeping with the surrounding landscape.	Impact on the landscape character of the area is considered to be slight and not significant.
16. Are there any routes or facilities on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the Project?	The Limerick Greenway serves as a recreational route in the area and will be positively impacted through improved safety and user experience by the proposed development.	No. The project will not result in significant negative impacts
17. Are there any transport routes on or around the location that are susceptible to congestion or which cause environmental problems, which could be affected by the Project?	No the proposed development is a rural located with low levels of congestion on transport routes.	No. The project will not result in significant impacts



Checklist Questions	Yes/No/Briefly describe	Is this likely to result in a significant impact? Yes/No/Why?
18. Is the Project in a location in which it is likely to be highly visible to many people?	The project will be visible from the greenway and from the nearby public road. The proposed structure will be partially buried and when finished with topsoil, seeding and planting it will begin to blend into the existing landscape.	No. The project will not result in significant impacts
19. Are there any areas or features of historic or cultural importance on or around the location that could be affected by the Project?	There are no recorded archaeological sites within the proposed site boundary or within a 500m radius of the site.	No. The project will not result in significant impacts.
20. Is the Project located in a previously undeveloped area where there will be a loss of greenfield land?	The project is located adjacent to greenfield lands. The overpass will be built over the existing greenway and use existing farm access track. Proposed embankments will be topsoiled and seeded. Loss of greenfield lands will be minimal.	No. The project will not result in significant impacts
22. Are there any plans for future land uses within or around the location that could be affected by the Project?	No. Site located in a rural area. No plans for future land uses in the immediate area.	No. The project will not result in significant impacts
23. Are there areas within or around the location which are densely populated or built-up, that could be affected by the Project?	No. site is located approximately 3km from the settlement of Abbeyfeale and the immediate area is sparsely populated.	No. The project will not result in significant impacts
24. Are there any areas within or around the location which are occupied by sensitive land uses e.g. hospitals, schools, places of worship, community facilities, that could be affected by the Project?	No.	No. The project will not result in significant impacts
25. Are there any areas within or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry,	No. There are no areas in proximity to the site which contain important, high quality or scarce resources that could be affected by the project.	No. The project will not result in significant impacts



Checklist Questions	Yes/No/Briefly describe	Is this likely to result in a significant impact? Yes/No/Why?
agriculture, fisheries, tourism, minerals, that could be Affected by the Project?		
26. Are there any areas within or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, that could be affected by the Project?	No. The Air quality in the area is considered good and the sub-catchment water body in the area is considered good.	No. The project will not result in significant impacts
27. Is the Project location susceptible to earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions e.g. temperature inversions, fogs, severe winds, which could cause the Project to present environmental problems?	No. The project location is not susceptible to natural disasters. Ground conditions are stable and not susceptible to erosion and the site is not located within a Flood Zone.	No. The project will not result in significant impacts



2.5 Impact Characterisation

In summary, it is noted that the proposed works will likely have a positive impact on the existing farm activity and greenway users once completed and will result in a safer environment for greenway users and farmers using the adjacent lands. As detailed in Table 2-1 there are no likely significant negative impacts associated with the proposed works.



3. CONCLUSIONS

The subject works which relate to the construction of an overpass to facilitate farm users crossing the Limerick Greenway does not individually or cumulatively fall into a class of development set out in Schedule 5, Part 1 and 2 of the Planning and Development Regulations 2001 - 2021 (as amended). The subject works do not fall into any of the categories of development for which EIA is considered mandatory under Roads Act 1993 (as amended) or the Road Regulations 1994 (as amended). Therefore, the requirements for a mandatory EIA can be screened out.

However, sub-threshold EIA may be required where the project would be likely to have significant effects on the environment. Criteria for the consideration of sub-threshold EIA is set out in Schedule 7 and Schedule 7A of the Planning and Development Regulations 2001 - 2021 (as amended). These criteria have been set out within this document with respect to the subject development.

As above-mentioned, the potential for the proposed project to have significant effects on the Lower Shannon SAC have been considered, however it is concluded beyond reasonable scientific doubt that the integrity of the SAC will not be adversely affected.

Potential impacts to the receiving environment during construction have been set out. Slight air quality and noise impacts are likely during the construction phase of the project due to the operation of construction machinery and the carrying out of other construction activities, however these are not considered to be significant given the distance to nearby receptors and the nature of the proposed works.

Slight visual impacts as a result of the subject development are noted, however, these impacts are not considered significant with regard to the visual vulnerability of the area, and the proposed buried structure type.

It is therefore submitted that sub-threshold EIA is not required for the subject remediation works, due to the project's limited impact on the receiving environment with respect to Schedule 7 of the Planning and Development Regulations 2001-2018, Annex II of the EIA Directive and the screening checklist provided in the EC guidance document for EIA Screening, as set out in this document.



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