

6TH 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.

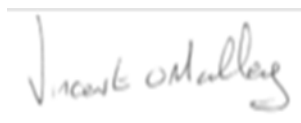
In performing this screening for Appropriate Assessment, I had regard, *inter alia*, to information contained in the following document:

- GHC11032021_NW Bridges_Yr4_Roscommon Rev 1.0 (10-03-21).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 GHC11032021_NW Bridges_Yr4_Roscommon Rev 1.0 (10-03-21).xls, which I am advised and believe to be the works required under the contract in Year 4 of its duration in County Roscommon.

Having performed screening for Appropriate Assessment in respect of the specific works detailed in GHC11032021_NW Bridges_Yr4_Roscommon Rev 1.0 (10-03-21).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
RN-N04-001.00	Boyle Canal Overpass	Screened Out
RN-N04-002.00	Boyle River Overpass	Screened Out
RN-N04-003.00	Abbey Bridge Underpass	Screened Out
RN-N04-004.00	Cattle Pass at Boyle	Screened Out
RN-N04-005.00	Hughestown Bridge	Screened Out
RN-N04-006.00	Carrick on Shannon Bridge	Screened Out
RN-N05-001.00	Boholas Culvert	Screened Out
RN-N05-002.00	Boholas Junction Overbridge	Screened Out
RN-N05-003.00	Coolagthane Bridge	Screened Out
RN-N05-004.00	Balloughter Culvert	Screened Out
RN-N05-005.00	Toobrack Bridge	Screened Out
RN-N05-006.00	Toobrack Culvert	Screened Out
RN-N05-007.00	Toobrack Junction Overbridge	Screened Out
RN-N05-008.00	Lung River Bridge	Screened Out
RN-N05-009.00	Banada Bridge	Screened Out
RN-N05-010.00	Ballinphuill Culvert	Screened Out

Structure_ID	Structure_Name	TII Decision
RN-N05-011.00	Cloonshanville Bridge	Screened Out
RN-N05-012.00	Bellanagare Bridge	Screened Out
RN-N05-013.00	Tulsk Village Bridge	Screened Out
RN-N05-014.00	Scramoge River Crossing No.1	Screened Out
RN-N05-015.00	Farnbeg Bridge	Screened Out
RN-N05-016.00	Scramoge River Crossing No. 2	Screened Out
RN-N05-017.00	Cullinagh Upper Culvert	Screened Out
RN-N05-018.00	Cullinagh Lower Culvert	Screened Out
RN-N05-019.00	Feorish Bridge	Screened Out
RN-N05-020.00	Bord Na Mona Railway Bridge	Screened Out
RN-N06-001.00	Tuam road bridge	Screened Out
RN-N06-002.00	Monksland Bridge	Screened Out
RN-N06-003.00	Gallows Hill Bridge	Screened Out
RN-N60-001.00	Ballinloughquarter Bridge	Screened Out
RN-N60-002.00	Roadquarter Bridge	Screened Out
RN-N60-003.00	Fortaugustus Bridge	Screened Out

Structure_ID	Structure_Name	TII Decision
RN-N60-004.00	Meelickaduff Bridge	Screened Out
RN-N60-005.00	Meelickaduff Railway Bridge	Screened Out
RN-N60-006.00	Castlerea Town Bridge (1957)	Screened Out
RN-N60-007.00	Cloonard River Bridge	Screened Out
RN-N60-008.00	Cloondacarra Bridge	Screened Out
RN-N60-009.00	Castlerea Bridge	Screened Out
RN-N60-010.00	The Hollow Bridge	Screened Out
RN-N61-001.00	Boyle Culvert	Screened Out
RN-N61-002.00	Boyle River Bridge	Screened Out
RN-N61-002.60	Boyle Bridge	Screened Out
RN-N61-003.00	Termon Railway Bridge	Screened Out
RN-N61-004.00	Bridge at Castleland	Screened Out
RN-N61-005.00	Tulsk Culvert	Screened Out
RN-N61-006.00	Clashaganny Bridge	Screened Out
RN-N61-007.00	Ardsallagh Mor Bridge	Screened Out
RN-N61-008.00	Killiaghan Bridge	Screened Out

Structure_ID	Structure_Name	TII Decision
RN-N61-009.00	Knockcroghery Bridge	Screened Out
RN-N61-010.00	Lecarrow Stream Bridge	Screened Out
RN-N61-011.00	Curraghalaher Railway Bridge	Screened Out
RN-N61-012.00	Ballybay Bridge	Screened Out
RN-N63-001.00	Cloonalin Bridge	Screened Out
RN-N63-002.00	Ballypheasan Railway Bridge	Screened Out
RN-N63-003.00	Kilteevan Townland	Screened Out
RN-N63-004.00	Carrowcrin Bridge	Screened Out
RN-N63-005.20	Anrittabeg Bridge	Screened Out
RN-N63-006.00	Lanesborough Bridge	Screened Out
RN-N83-001.00	Cloonfad Village Bridge	Screened Out