

16TH OF APRIL 2021

**SCREENING FOR APPROPRIATE ASSESSMENT OF SPECIFIC WORKS ASSOCIATED WITH ‘MUNSTER 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 ‘Munster 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.

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

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 ‘Munster 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 ‘Munster 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.



- *Munster Bridges – Term Maintenance Contract No. 3 – Ecological Assessment* (Atkins Limited, July 2018); and,
- *GHC12042021Munster Bridges_Yr4 - Kerry_(24.03.21).xls*⁶

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 *GHC12042021Munster Bridges_Yr4 - Kerry_(24.03.21).xls*, which I am advised and believe to be the routine maintenance works required under the contract in County Kerry in year 4 of its duration.

Having performed screening for Appropriate Assessment in respect of the specific works detailed in *GHC12042021Munster Bridges_Yr4 - Kerry_(24.03.21).xls*, I accept the recommendations of Atkins Limited that the year 4 routine maintenance 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

⁶ The spreadsheet ‘*GHC12042021Munster Bridges_Yr4 - Kerry_(24.03.21).xls*’ was first prepared by Atkins Limited and provided, amongst other things, the recommendations of Atkins Limited’s ecologist as to whether or not specified works could be ‘screened out’. The Environmental Policy and Compliance Section of TII reviewed the information contained in the spreadsheet and indicated whether or not it agreed with these recommendations.

Structure ID	Structure Name	TII Decision
KY-N21-001.00	River Lee Underbridge	Screened Out
KY-N21-002.00	River Lee Bridge	Screened Out
KY-N21-003.00	Tralee - Killarney Railway Bridge	Screened Out
KY-N21-004.00	Knockavinnane Farm Underpass	Screened Out
KY-N21-005.00	Ballydwyer West Farm Underpass No. 1	Screened Out
KY-N21-006.00	Ballydwyer West Farm Underpass No. 2	Screened Out
KY-N21-007.00	Rockfield Farm Underpass	Screened Out
KY-N21-008.00	Maglass West Culvert	Screened Out
KY-N21-009.00	Maglass East Culvert	Screened Out
KY-N21-010.00	Crag Farm Underpass	Screened Out
KY-N21-011.00	Maglass East Bridge	Screened Out
KY-N21-012.00	Meanus Culvert	Screened Out
KY-N21-012.10	Killally Culvert	Screened Out

Structure ID	Structure Name	TII Decision
KY-N21-012.20	Dirtoge Stream North	Screened Out
KY-N21-012.30	Portduff culvert	Screened Out
KY-N21-012.40	Mullaghmarky bridge	Screened Out
KY-N21-012.50	Dooneen culvert	Screened Out
KY-N21-016.00	Knockakip Culvert	Screened Out
KY-N21-016.20	Ballyduff Farm Underpass	Screened Out
KY-N21-016.25	Ballyduff Farm Underpass No.1	Screened Out
KY-N21-016.30	Ballyduff Farm Underpass No.2	Screened Out
KY-N21-016.40	Owveg River Bridge	Screened Out
KY-N21-016.60	Knockbrack Underbridge No. 1	Screened Out
KY-N21-016.70	Knockbrack Farm Underpass No. 7	Screened Out
KY-N21-016.80	Knockbrack Underbridge No. 2	Screened Out
KY-N21-016.85	Knockbrack Farm Underpass No. 6	Screened Out
KY-N21-017.00	Knockbrack Underbridge No. 3	Screened Out

Structure ID	Structure Name	TII Decision
KY-N21-017.10	Knockbrack Farm Underpass No. 4	Screened Out
KY-N21-017.20	Knockbrack Farm Underpass No. 1	Screened Out
KY-N21-017.30	Knockbrack Farm Underpass No. 5	Screened Out
KY-N21-017.40	Knockbrack Farm Underpass No. 2	Screened Out
KY-N21-017.60	Knockbrack Farm Underpass No. 3	Screened Out
KY-N21-017.80	Kilmaniheen West Overbridge	Screened Out
KY-N21-018.00	Kilmanaheen West Underpass #1	Screened Out
KY-N21-018.10	Kilmaniheen West Farm Underpass	Screened Out
KY-N21-018.40	Kilmaniheen West Underbridge #2	Screened Out
KY-N21-018.80	River Feale Bridge	Screened Out
KY-N21-019.00	Knockbrack Culvert	Screened Out
KY-N22-001.00	Ballyseedy Stock Underpass	Screened Out
KY-N22-001.10	Lisardboola Stream Culvert	Screened Out
KY-N22-001.20	Poulawaddra Stock Underpass	Screened Out

Structure ID	Structure Name	TII Decision
KY-N22-001.30	Lisardboola Stream Culvert	Screened Out
KY-N22-001.40	Clashedmond Stream Culvert	Screened Out
KY-N22-001.50	Ballyseedy Road Underbridge	Screened Out
KY-N22-001.60	Dromvally Stream Culvert	Screened Out
KY-N22-001.70	Gortbrack Stock Underpass	Screened Out
KY-N22-001.80	Ash-Hill Stream Culvert	Screened Out
KY-N22-002.00	Doonimlaghbeg Farm Underpass #1	Screened Out
KY-N22-003.00	Doonimlaghbeg Farm Underpass #2	Screened Out
KY-N22-004.00	Doonimlaghbeg Farm Underpass #3	Screened Out
KY-N22-005.00	New Gortatlea bridge	Screened Out
KY-N22-006.00	Gortatlea Farm Underpass #1	Screened Out
KY-N22-007.00	Gortatlea Farm Underpass #2	Screened Out
KY-N22-008.00	Gortatlea Farm Underpass #3	Screened Out
KY-N22-009.00	Currans Overbridge	Screened Out

Structure ID	Structure Name	TII Decision
KY-N22-010.00	Maine River Bridge	Screened Out
KY-N22-011.00	Maine River New Flood Relief Culvert	Screened Out
KY-N22-012.00	Farranfore Bridge	Screened Out
KY-N22-013.00	Kilkneedan Bridge	Screened Out
KY-N22-014.00	Ballydeenlea Bridge	Screened Out
KY-N22-015.00	Rockfield Bridge	Screened Out
KY-N22-016.00	Madam's Hill Railbridge	Screened Out
KY-N22-017.00	Deenagh Bridge	Screened Out
KY-N22-018.00	Ballydribeen Rail Bridge	Screened Out
KY-N22-019.00	Woodford Bridge	Screened Out
KY-N22-020.00	Clash Farm Underpass	Screened Out
KY-N22-021.00	Cloghane Culvert	Screened Out
KY-N22-022.00	Brewsterfield Culvert	Screened Out
KY-N22-024.00	Killaha Culvert	Screened Out

Structure ID	Structure Name	TII Decision
KY-N22-025.00	Curraglass Culvert	Screened Out
KY-N22-026.00	Garries Bridge	Screened Out
KY-N22-028.00	Derryreag Culvert	Screened Out
KY-N22-029.00	Corranmaree Bridge	Screened Out
KY-N22-032.00	Cummeenavrick Culvert #3	Screened Out
KY-N23-001.00	Kerry Airport Culvert	Screened Out
KY-N23-002.00	O'Connell Bridge	Screened Out
KY-N23-003.00	Brown Flesk Tributary Culvert	Screened Out
KY-N23-004.00	Cliddaun West Culvert	Screened Out
KY-N23-005.00	Dysert Bridge	Screened Out
KY-N23-005.10	Keal Steam Culvert	Screened Out
KY-N23-005.20	River Maine Bridge	Screened Out
KY-N23-005.30	Dirtoge Stream South	Screened Out
KY-N23-005.40	Farrannabrack Culvert	Screened Out

Structure ID	Structure Name	TII Decision
KY-N23-005.50	Knockanagore Culvert	Screened Out
KY-N69-001.00	Tullygarran Stream Culvert	Screened Out
KY-N69-001.10	Ballinorig Railway Underbridge	Screened Out
KY-N69-001.20	Ballinorig Road Overbridge	Screened Out
KY-N69-001.30	Ballybeggan Stock Underpass	Screened Out
KY-N69-001.40	Ballybeggan Cyclist Underpass	Screened Out
KY-N69-001.50	Ballybeggan River Bridge	Screened Out
KY-N69-001.60	Knockawaddra Stock Underpass	Screened Out
KY-N69-001.70	Knockawaddra Road Overbridge	Screened Out
KY-N69-001.80	Big River Bridge and double Underpass	Screened Out
KY-N69-001.90	Lismore Stock Underpass	Screened Out
KY-N69-002.00	Leath Crossroads	Screened Out
KY-N69-003.00	Leath Pipe Culvert	Screened Out
KY-N69-007.00	Cloonnafinneela East Bridge	Screened Out

Structure ID	Structure Name	TII Decision
KY-N69-008.00	Cloonnafinneela Bridge	Screened Out
KY-N69-008.10	Cloonnafinneela West Bridge	Screened Out
KY-N69-009.00	Glanballyma South Culvert #1	Screened Out
KY-N69-010.00	Glanballyma South Culvert #2	Screened Out
KY-N69-011.00	Glanballyma Bridge	Screened Out
KY-N69-011.30	Palas Bridge	Screened Out
KY-N69-012.00	Mountcoat South Culvert	Screened Out
KY-N69-014.00	Dromclogh Bridge	Screened Out
KY-N69-015.00	Coolnaleen Lower Pipe Culvert	Screened Out
KY-N69-016.00	Listowel Bridge South Approach	Screened Out
KY-N69-017.00	Listowel Bridge	Screened Out
KY-N69-020.00	River Galey Bridge	Screened Out
KY-N69-021.00	Galey Bridge Culvert	Screened Out
KY-N69-021.90	Cuss North Culvert #2	Screened Out

Structure ID	Structure Name	TII Decision
KY-N69-023.00	Leitrim Bridge	Screened Out
KY-N69-025.00	Harold's Bridge	Screened Out
KY-N70-002.00	Caherweesheen Bridge	Screened Out
KY-N70-003.00	Kilfeighny North Bridge	Screened Out
KY-N70-004.00	Caherleen Bridge	Screened Out
KY-N70-005.00	Lissardboola Bridge	Screened Out
KY-N70-006.00	Ballygamboon Upper Bridge	Screened Out
KY-N70-007.00	Ballynamona Upper Bridge	Screened Out
KY-N70-008.00	Tonreagh Bridge	Screened Out
KY-N70-009.00	River Maine Bridge	Screened Out
KY-N70-010.00	Hurley's Bridge	Screened Out
KY-N70-011.00	Milltown Bridge	Screened Out
KY-N70-012.00	Laune Bridge	Screened Out
KY-N70-013.00	Ahnagloghlea River Bridge	Screened Out

Structure ID	Structure Name	TII Decision
KY-N70-013.20	Laharn Cross Culvert	Screened Out
KY-N70-014.00	Keal's Stream Bridge	Screened Out
KY-N70-015.00	Caragh Bridge	Screened Out
KY-N70-017.00	Curraheen Little Bridge	Screened Out
KY-N70-018.00	Kilnabrack Bridge	Screened Out
KY-N70-019.00	Kilnabrack Upper Bridge	Screened Out
KY-N70-021.00	Glenbeigh National School Bridge	Screened Out
KY-N70-022.00	Glanbehy Bridge	Screened Out
KY-N70-023.00	Coolnaharragill Bridge	Screened Out
KY-N70-024.00	Drung Hill Bridge	Screened Out
KY-N70-025.00	Feakleally Bridge	Screened Out
KY-N70-026.00	O'Connells Bridge	Screened Out
KY-N70-026.90	Kells Farm Underpass	Screened Out
KY-N70-027.00	Kells Stream Culvert	Screened Out

Structure ID	Structure Name	TII Decision
KY-N70-028.00	Knockaneyouloo Bridge	Screened Out
KY-N70-029.00	Tullig Bridge	Screened Out
KY-N70-030.00	Dooneen Farm Bridge	Screened Out
KY-N70-031.00	Deelis Bridge	Screened Out
KY-N70-032.00	Bahaghs Bridge	Screened Out
KY-N70-033.00	Carhan Bridge	Screened Out
KY-N70-034.00	Oghermong Bridge	Screened Out
KY-N70-035.00	Aghatubrid Bridge	Screened Out
KY-N70-036.00	Garryglass Bridge	Screened Out
KY-N70-037.00	Inny Bridge	Screened Out
KY-N70-038.00	Spunkane Bridge	Screened Out
KY-N70-039.00	Waterville Bridge	Screened Out
KY-N70-040.00	Baslickane Bridge	Screened Out
KY-N70-041.00	Darrynane Beg Bridge	Screened Out

Structure ID	Structure Name	TII Decision
KY-N70-042.00	Cahernegeeha Bridge	Screened Out
KY-N70-043.00	Coomnahorna River Bridge	Screened Out
KY-N70-044.00	Brackaharagh Bridge	Screened Out
KY-N70-045.00	Bananeer Bridge	Screened Out
KY-N70-046.00	Castlecove Bridge	Screened Out
KY-N70-047.00	Derreens Bridge	Screened Out
KY-N70-048.00	Glanlough Bridge	Screened Out
KY-N70-049.00	Bunnow River Bridge	Screened Out
KY-N70-051.00	Sneem River Bridge	Screened Out
KY-N70-052.00	Tahilla River Bridge	Screened Out
KY-N70-053.00	Dereenafoyle Bridge	Screened Out
KY-N70-054.00	Blackwater Bridge	Screened Out
KY-N70-055.00	Castlefield Bridge	Screened Out
KY-N70-056.00	Assroe Bridge	Screened Out

Structure ID	Structure Name	TII Decision
KY-N70-057.00	Reen Bridge	Screened Out
KY-N70-058.00	Claddanure Bridge	Screened Out
KY-N71-004.00	Cromglen Bridge	Screened Out
KY-N71-006.00	Incheens Bridge	Screened Out
KY-N71-007.00	Galway's Bridge	Screened Out
KY-N71-008.00	Castle Bridge	Screened Out
KY-N71-009.00	Looscaunagh Bridge	Screened Out
KY-N71-010.00	Carrig East Bridge	Screened Out
KY-N71-011.00	Cappamore Bridge	Screened Out
KY-N71-011.40	Carhoomeengar West Bridge	Screened Out
KY-N71-012.00	Sahaleen Bridge	Screened Out
KY-N71-013.00	Finnihy Bridge	Screened Out
KY-N71-014.00	Kenmare Bridge	Screened Out
KY-N71-015.00	Kenmare Old Bridge	Screened Out

Structure ID	Structure Name	TII Decision
KY-N71-016.00	Carrignahihilan Bridge	Screened Out
KY-N71-017.00	Ballygriffin Bridge	Screened Out
KY-N71-017.50	Derrynacoulagh Bridge	Screened Out
KY-N71-018.00	Releagh Bridge	Screened Out
KY-N71-022.00	Caha Tunnel	Screened Out
KY-N72-001.00	Coolroe South Bridge	Screened Out
KY-N72-004.00	Pallis Bridge	Screened Out
KY-N72-005.00	Ballydowny Bridge	Screened Out
KY-N72-006.00	Ardteegalvan Bridge	Screened Out
KY-N72-007.00	Knockeennagowan Bridge	Screened Out
KY-N72-008.00	Six Mile Bridge	Screened Out
KY-N72-009.00	Beheenagh Bridge	Screened Out
KY-N72-010.00	Gortanahaneboy West Bridge	Screened Out
KY-N72-011.00	Gortanahaneboy West Railway Bridge	Screened Out

Structure ID	Structure Name	TII Decision
KY-N72-013.00	Rathmore Railway Bridge	Screened Out
KY-N86-000.20	River Lee Bridge	Screened Out
KY-N86-000.5	Mulgrave Bridge	Screened Out
KY-N86-001.00	Blennerville Bridge	Screened Out
KY-N86-002.00	Blennerville Bridge Relief Arch	Screened Out
KY-N86-003.00	Tonevane Cross Bridge	Screened Out
KY-N86-004.00	Savages Bridge	Screened Out
KY-N86-005.00	Enright's Bridge	Screened Out
KY-N86-006.00	Dan Fitzgerald Bridge	Screened Out
KY-N86-008.00	Annagh West Bridge	Screened Out
KY-N86-010.00	Curaheen Bridge	Screened Out
KY-N86-011.00	Kerry Algae Bridge	Screened Out
KY-N86-015.00	Derryquay Bridge	Screened Out
KY-N86-016.00	Bridge near Derryquay National School	Screened Out

Structure ID	Structure Name	TII Decision
KY-N86-018.80	Killelton Culvert	Screened Out
KY-N86-019.00	Killelton Bridge	Screened Out
KY-N86-020.00	Knockglass Beg Bridge	Screened Out
KY-N86-021.00	Curraduff Bridge	Screened Out
KY-N86-022.00	Ballygarrett Bridge	Screened Out
KY-N86-023.00	Doonore North Bridge	Screened Out
KY-N86-024.00	Maumnahaltora Bridge	Screened Out
KY-N86-025.00	Emlough East Bridge	Screened Out
KY-N86-026.00	Emlough West Bridge	Screened Out
KY-N86-027.00	Knockbeg South Bridge	Screened Out
KY-N86-028.00	Coill na Luachra	Screened Out
KY-N86-029.00	Logher Bridge	Screened Out
KY-N86-029.80	Gortbreagoge Farm Underpass	Screened Out
KY-N86-029.90	Glantane Farm Underpass	Screened Out

Structure ID	Structure Name	TII Decision
KY-N86-030.00	Glentane Bridge	Screened Out
KY-N86-030.10	Glentane Culvert	Screened Out
KY-N86-031.00	Flahives	Screened Out
KY-N86-032.00	Mall River Bridge	Screened Out
KY-N86-032.20	Brackloon Farm Underpass	Screened Out
KY-N86-033.00	Annascaul Bridge	Screened Out
KY-N86-033.20	Gurteen North Farm Underpass	Screened Out
KY-N86-034.00	Gort na gCrann Bridge	Screened Out
KY-N86-035.00	Ach na Leaca	Screened Out
KY-N86-035.90	Ballynasare Beg Underpass East	Screened Out
KY-N86-036.00	Baile na Saor New Bridge	Screened Out
KY-N86-036.10	Ballynasare Beg Underpass West	Screened Out
KY-N86-037.00	Keans Bridge	Screened Out
KY-N86-038.00	Lispole bridge	Screened Out

Structure ID	Structure Name	TII Decision
KY-N86-039.00	Clooncurra Bridge	Screened Out
KY-N86-040.00	Imleach Bridge	Screened Out
KY-N86-041.00	Ballineesteenig East Culvert	Screened Out
KY-N86-042.00	Ballineesteenig West Culvert	Screened Out
KY-N86-043.00	Garfinny Bridge	Screened Out
KY-N86-044.00	The Mall Bridge	Screened Out