

TRANSPORT INFRASTRUCTURE IRELAND LUAS FINGLAS APPROPRIATE ASSESSMENT SCREENING DETERMINATION

The National Roads Authority operating as Transport Infrastructure Ireland (“TII”) intends to apply to An Bord Pleanála for a Railway Order in respect of Luas Finglas (the “**Proposed Scheme**”).

The Proposed Scheme is the northwards extension of the existing Luas Green Line from the current terminus at Broombridge. The proposed route is 3.9km in length and will include four new stops, cycle lanes and footpaths along part of the route, a Park & Ride facility near St Margaret’s Road, two bridges (at Tolka River and over the Maynooth Line railway and Royal Canal) and an extension to the LRV storage area at the existing Luas Green Line Hamilton Depot at Broombridge.

The Proposed Scheme, located fully within County Dublin, passing through the administrative areas of Fingal County Council and Dublin City Council, comprises a high-capacity, high-frequency light rail running from Broombridge to Charlestown, connecting Finglas and the surrounding areas with Dublin’s wider public transport network by providing a reliable, and efficient public transport service to the city centre via Broombridge.

This determination has considered the relevant legislative context, including but not limited to Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (as amended), Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (as amended), and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011) (as amended).

Appropriate Assessment Screening Report

TII appointed JBA Consulting Engineers and Scientists Ltd. to prepare an Appropriate Assessment Screening Report for the Proposed Scheme to consider, analyse and assess whether in view of best scientific knowledge and objective information and the conservation objectives of the European site(s) (which are discussed further below), if the Proposed Scheme individually or in combination with other plans or projects is likely to have a significant effect on a European Site(s).

The Appropriate Assessment Screening Report concluded that:

“in the absence of mitigation, that there is possibility of likely significant effects on North Dublin Bay SAC, South Dublin SAC, North Bull Island SPA, South Dublin Bay and River Tolka Estuary SPA, Rockabill to Dalkey Island SAC and North-West Irish Sea SPA, and their respective QIs / SCIs, by the proposed Scheme during the Construction and Operational Phases of the proposed Scheme through the surface water, groundwater-to-surface water, air, and air-to-surface water pathways.”

On the basis of objective information and in light of best scientific knowledge and applying the precautionary principle, it can be concluded that the proposed Scheme, either individually or in combination with other plans and projects, and in the absence of mitigation, is not likely to have a significant effect on Howth Head SAC and Baldoyle Bay SPA, in view of the sites conservation objectives, and that there is no reasonable scientific doubt in relation to this conclusion. As Howth Head SAC QIs are located above the coastal waters, there is no hydrological connection from the proposed Scheme to the SAC. The waters of the Baldoyle Bay SPA are located beyond the reasonable surface water impact pathway (distance) and as such, no likely significant effects are predicted. Furthermore, the SCI bird species of Baldoyle Bay SPA do not frequent lands within the disturbance buffer of the proposed Scheme and therefore, will not result in any likely significant effects for these SCI bird species.

Therefore, it is the professional opinion of the authors of this report that the application for approval for the proposed Scheme does require a Stage Two Appropriate Assessment in respect of North Dublin Bay SAC, South Dublin SAC, North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA, Rockabill to Dalkey Island SAC and North-West Irish Sea SPA, and, consequently, the preparation of a Natura Impact Statement”.

TII has received and read the Appropriate Assessment Screening Report and has considered its content and its conclusions and recommendation set out therein. Having done this, TII agrees with the conclusions and recommendation set out in the Appropriate Assessment Screening Report.

Appropriate Assessment Screening Determination

Having regard to the foregoing, TII has determined that an Appropriate Assessment of the Proposed Scheme is required as it cannot exclude, in view of best scientific knowledge and on the basis of objective scientific information, following the screening that TII has carried out, that the Proposed Scheme, either individually or in combination with other plans or projects, in the absence of mitigation, will have a significant effect on the following [6] European Site(s) ([3] SPAs and [3] SACs) in view of the conservation objectives of those site(s):-

- North Dublin Bay SAC [000206];
- South Dublin Bay SAC [000210];
- Rockabill to Dalkey Island SAC [003000];
- South Dublin Bay and River Tolka Estuary SPA [004024];
- North Bull Island SPA [004006]; and
- North-West Irish Sea SPA [004236].

TII has made this determination derived from the Appropriate Assessment Screening Report and in particular ‘Section 6.2 Screening Assessment’ and ‘Section 6.3 Concluding Statement’ of that Report which states the following:

“in the absence of mitigation, that there is possibility of likely significant effects on North Dublin Bay SAC, South Dublin SAC, North Bull Island SPA, South Dublin Bay and River Tolka Estuary SPA, Rockabill to Dalkey Island SAC and North-West Irish Sea SPA, and their

respective QIs / SCIs, by the proposed Scheme during the Construction and Operational Phases of the proposed Scheme through the surface water, groundwater-to-surface water, air, and air-to-surface water pathways”.

TII has therefore requested that JBA Consulting Engineers and Scientists Ltd. prepare and finalise a Natura Impact Statement which will be submitted to An Bord Pleanála with an application for a Railway Order for the Proposed Scheme.

This Appropriate Assessment Screening Determination has been authorised by Vincent O'Malley who has authority on behalf of TII to authorise TII Screening Determinations. Vincent is Head of Environment at TII and is not part of the Luas Finglas Project Team and thus TII has implemented an appropriate functional separation in conducting the Screening for Appropriate Assessment.

This determination is available for inspection at TII's Offices, Parkgate Business Centre, Parkgate St, Dublin 8, and on its website at: www.luasfinglasro.ie.

Signed

A handwritten signature in black ink, appearing to read 'Vincent O'Malley', written over a horizontal line.

Job Title

Head of the Environmental Policy and Compliance Section

Dated

13th of November 2024