

STATEMENT OF SCREENING FOR APPROPRIATE ASSESSMENT

FOR

CAVAN COUNTY COUNCIL (DRAFT) NOISE ACTION PLAN 2024-2028

In Line with the Requirements of Article 6(3) of the EU Habitats Directive



Prepared for

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1	28 th June 2024	Draft Report	Noreen Mc Loughlin (Ecologist)	Nevin Traynor Environmental Consultant	Nevin Traynor Environmental Consultant
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This report refers, within the limitations stated, to the condition of the site at the time of the report. No warranty is given as to the possibility of future changes in the condition of the site. The report as presented is based on the information sources as detailed in this report, and hence maybe subject to review in the future if more information is obtained or scientific understanding changes.

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1.0 INTRODUCTION

1.1 Background

Article 6 of the EU Habitat's Directive (Council Directive 92/43/EEC) requires that all plans and projects be screened for potential significant effects upon Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). The aim of this screening process is to establish whether or not significant effects upon those designated sites are likely to arise from the proposed plan or project.

Traynor Environmental Ltd has been engaged by Cavan County Council to undertake this Appropriate Assessment Screening Report for the Cavan County Council (Draft) Noise Action Plan 2024-2028¹. This screening exercise for Appropriate Assessment was carried out in order to identify whether any significant impacts on designated sites arising from the implementation of the Noise Action Plan are likely.

The Noise Action Plan 2024-2028 has been prepared by Cavan County Council for major roads carrying more than three million vehicles per annum. This is the fourth Noise Action Plan devised for Co. Cavan and it supersedes the 2019-2023 Noise Action Plan.

This Noise Action Plan has been prepared for Cavan County Council, to meet the requirements of the statutory Noise Regulations currently in force, namely the:

- European Commission (2018). Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.
- European Commission (2021). Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.
- European Communities Environmental Noise Regulations, S.I. No. 549/2018.
- European Communities Environmental Noise (Amendment) Regulations, S.I. No. 663/2021.

1.2 Need for Noise Action Plan

Environmental noise is an unwanted or harmful outdoor sound created by human activities, including noise emitted by means of transport (road traffic, rail traffic, air traffic and noise in agglomerations over a specified size). Types of noise not included in the Regulations are noise from domestic activities, noise created by neighbours, noise at workplaces, etc.

Environmental noise remains a major problem in Europe, with at least 20% of the population reported by the European Environment Agency to be living in areas where noise levels are considered harmful to human health. Environmental noise is the second biggest environmental cause of health problems in the EU, after air pollution. The long-term exposure to environmental noise significantly affects the physical and mental health of the population (e.g. annoyance, stress reactions, sleep disturbance, poor mental health and well-being). The major source of noise pollution in both urban and non-urban areas is transportation.

¹ Cavan County Council (2024) Draft Noise Action Plan 2024-2028.

2.0 Regulatory Context

2.1 Relevant Legislation – Nature Conservation

The Birds Directive (Council Directive 2009/147/EC) recognises that certain species of birds should be subject to special conservation measures concerning their habitats. The Directive requires that Member States take measures to classify the most suitable areas as Special Protection Areas (SPAs) for the conservation of bird species listed in Annex 1 of the Directive. SPAs are selected for bird species (listed in Annex I of the Birds Directive), that are regularly occurring populations of migratory bird species and the SPA areas are of international importance for these migratory birds.

The EU Habitats Directive (92/43/EEC) requires that Member States designate and ensure that particular protection is given to sites (Special Areas of Conservation) which are made up of or support particular habitats and species listed in annexes to this Directive.

Articles 6(3) and 6(4) of this Directive also call for the undertaking of an Appropriate Assessment for plans and projects not directly connected with or necessary to the management of, but which are likely to have a significant effect on any European designated sites (i.e. SACs and SPAs).

Appropriate Assessment and the Habitats Directive

Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora – the 'Habitats Directive' - provides legal protection for habitats and species of European importance. Article 2 of the Directive requires the maintenance or restoration of habitats and species of European Community interest, at a favourable conservation status. Articles 3 - 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of sites known as *Natura 2000*. *Natura 2000* sites are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/EEC).

Articles 6(3) and 6(4) of the Habitats Directive sets out the decision-making tests for plans or projects affecting *Natura 2000* sites. Article 6(3) establishes the requirement for Appropriate Assessment:

"Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."

Article 6(4) deals with the steps that should be taken when it is determined, as a result of appropriate assessment, that a plan/project will adversely affect a European site. Issues dealing with alternative solutions, imperative reasons of overriding public interest and compensatory measures need to be addressed in this case.

Article 6(4) states:

"If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member States shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted."

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to 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."

The Appropriate Assessment Process

The aim of Appropriate Assessment is to assess the implications of a proposal in respect of a designated site's conservation objectives.

The 'Appropriate Assessment' itself is an assessment which must be carried out by the competent authority which confirms whether the plan or project in combination with other plans and projects will have an adverse impact on the integrity of a European site.

Screening for Appropriate Assessment shall be carried out by the competent authority as set out in Section 177U(1) and (2) of the Planning and Development Act 2000 (as amended) as follows:

'(1) A screening for appropriate assessment of a draft Land use plan or application for consent for proposed development shall be carried out by the competent authority to assess, in view of best scientific knowledge, if that Land use plan or proposed development, individually or in combination with another plan or project is likely to have a significant effect on the European site.

(2) A competent authority shall carry out a screening for appropriate assessment under subsection (1) before—

(a) a Land use plan is made including, where appropriate, before a decision on appeal in relation to a draft strategic development zone is made, or

(b) consent for a proposed development is given.'

The competent authority shall determine that an Appropriate Assessment is not required if it can be excluded, that the proposed development, individually or in combination with other plans or project will have a significant effect on a European site.

Where the competent authority cannot exclude the potential for a significant effect on a European site, an Appropriate Assessment shall be deemed required.

Where an Appropriate Assessment is required, the conclusions of the Appropriate Assessment Report (Natura Impact Statement (NIS)) should enable the competent authority to ascertain whether the plan or proposed development would adversely affect the integrity of the European site. If adverse impacts on the integrity of a European site cannot be avoided, then mitigation measures should be applied during the appropriate assessment process to the point where no adverse impacts on the site remain. Under the terms of the Habitats Directive consent can only be granted for a project if, as a result of the appropriate assessment either (a) it is concluded that the integrity of any European sites will not be adversely affected, or (b) after mitigation, where adverse impacts cannot be excluded, there is shown to be an absence of alternative solutions, and there exists imperative reasons of overriding public interest for the project should go ahead.

Section 177(V) of the Planning and Development Act 2000 (as amended) outlines that the competent authority shall carry out the Appropriate Assessment, taking into account the Natura Impact Statement (amongst any other additional or supplemental information). A determination shall then be made by the competent authority in line with

the requirements of Article 6(3) of the Habitats Directive as to whether the plan or proposed development would adversely affect the integrity of a European site, prior to consent being given.

2.2 Relevant Legislation – Noise

The requirement of County Council's to prepare a Noise Action Plan (hereafter referred to as NAP) is set out for Member States under the Environmental Noise Directive (END) (2002/49/EC), a legal instrument for addressing adverse effects of environmental noise which have been transposed into Irish law² and require preparation of strategic noise mapping and implementation of NAPs. The Environmental Protection Agency (EPA) is the national competent authority responsible for implementing the END and will ultimately report noise mapping and action planning to the European Commission.

The END aims to provide for the implementation of a common EC approach to avoid, prevent, or reduce the harmful effects of exposure to environmental noise on a prioritised basis.

The Environmental Noise Directive ("END") (2002/49/EC) is the main European instrument which has been put in place to manage environmental noise and engage with the public. The END was transposed into Irish Law by the European Communities (Environmental Noise) Regulations 2006, being revised in 2018 and amended in 2018.

² The END was transposed into Irish Law by the Environmental Noise Regulations 2006 (S.I. 140/2006) (the "Regulations"). The Regulations were revised by the European Communities (Environmental Noise) Regulations 2018 (S.I. 549/2018) and amended through the European Communities (Environmental Noise) (Amendment) Regulations 2021 (S.I. 663/2021).

3.0 Methodology

3.1 Appropriate Assessment

This Statement of Screening for Appropriate Assessment (Stage 1) has been prepared with reference to the following:

- European Commission (2018). Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.
- European Commission (2021). Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.
- European Commission (2006). Nature and Biodiversity Cases: Ruling of the European Court of Justice.
- European Commission (2007). Clarification of the Concepts of: Alternative Solution, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence, Opinion of the Commission.
- Department of Environment, Heritage, and Local Government (2009). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities.
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPW 1/10 & PSSP 2/10;
- Draft Guidance Note for Noise Action Planning for the European Communities (Environmental Noise) Regulations 2018. Draft Version 2, January 2024;
- The AA has also been undertaken in consideration of the European Union (CJEU) judgment on Case C323/17 (People over Wind, Peter Sweetman v Coillte Teoranta), which concluded that *"it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects [mitigation] of the plan or project on that site."*. Other caselaw relevant to Screening are Waddenzee (C127/02), Holohan and Others v An Bord Pleanála (C461/17) and Court of Appeal case C1/2009/0041/QBACF Citation No [2009] EWCA Civ. 1061.

The EC Guidance sets out a number of principles as to how to approach decision making during the process. The primary one is 'the precautionary principle' which requires that the conservation objectives of Natura 2000 should prevail where there is uncertainty.

When considering the precautionary principle, the emphasis for assessment should be on objectively demonstrating with supporting evidence that:

- There will be no significant effects on a Natura 2000 site;
- There will be no adverse effects on the integrity of a Natura 2000 site;
- There is an absence of alternatives to the project or plan that is likely to have an adverse effect to the integrity of a Natura 2000 site; and
- There are compensation measures that maintain or enhance the overall coherence of Natura 2000.

This translates into a four-stage process to assess the impacts, on a designated site or species, of a policy or proposal.

The EC Guidance states that "each stage determines whether a further stage in the process is required." Consequently, the Council may not need to proceed through all four stages in undertaking the Appropriate Assessment.

The four-stage process is:

Stage 1: Screening – The process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether or not these impacts are likely to be significant;

Stage 2: Appropriate Assessment – The consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts;

Stage 3: Assessment of Alternative Solutions – The process which examines alternative ways of achieving objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site;

Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain – An assessment of the compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

In complying with the obligations set out in Articles 6(3) and following the guidelines described above, this screening statement has been structured as a stage-by-stage approach as follows:

- Description of the proposed plan;
- Identification of the Natura 2000 sites within the Zone of Influence of that plan;
- Identification and description of any individual and cumulative impacts on the Natura 2000 sites likely to result from the implementation of the plan.
- Assessment of the significance of the impacts identified above on-site integrity. Exclusion of sites where it can be objectively concluded that there will be no significant effects.

3.2 Statement of Competency

This AA Screening report was carried out by Noreen McLoughlin, BA, MSc, MCIEEM. Noreen has an honours degree in Zoology and an MSc in Freshwater Ecology from Trinity College, Dublin and she has been a full member of the Chartered Institute of Ecology and Environmental Management for over eighteen years. Noreen has over 20 years' experience as a professional ecologist in Ireland. The report was checked and approved by Nevin Traynor (B.Sc. Environmental Science & Technology (Sligo IT, 1999) who has 24 years' experience in Environmental Impact Assessment and has completed numerous Appropriate Assessment Screening Reports and Natura Impact Statements for various development types.

3.3 Desk Studies & Consultation

Information on the site and the area of the proposed development was studied prior to the completion of this statement. The following data sources were accessed in order to complete a thorough examination of potential impacts:

- National Parks and Wildlife Service
- Environmental Protection Agency (EPA)
- Cavan County Council – The (Draft) Noise Action Plan 2024-2028

3.4 Assessment Methodology

The proposed development was assessed to identify its potential ecological impacts and from this, the Zone of Influence (Zoi) of the proposed development was defined. Based on the potential impacts and their Zoi, the Natura 2000 sites potentially at risk from direct, indirect, or in-combination impacts were identified. The assessment considered all potential impact sources and pathways connecting the proposed development to Natura 2000 sites, in view of the conservation objectives supporting the favourable conservation condition of the site's Qualifying Interests (QIs) or Special Conservation Interests (SCIs).

The conservation objectives relating to each Natura 2000 site and its QIs/SCIs are cited generally for SACs as "to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or Annex II species for which the SAC has been selected", and for SPAs "to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA".

As defined in the Habitat's Directive, the favourable conservation status of a habitat is achieved when:

- Its natural range and area it covers within that range is stable or increasing;
- The specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future;
- The favourable conservation status of a species is achieved when:
- The population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats;
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future;
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Where site-specific conservation objectives (SSCOs) have been prepared for a European site, these include a series of specific attributes and targets against which effects on conservation condition, or integrity, can be measured. Where potential significant effects are identified, then these SSCO's should be considered in detail.

4.0 Stage 1: Screening

4.1 Description of the Plan

4.1.1 Cavan Noise Policy

Cavan County Council will seek to address environmental noise from major roads, as defined in the Environmental Noise Regulations, in the county. Cavan Co. Council will adopt a strategic approach to managing environmental noise, within its administrative area, and will aim to:

- Prevention – manage the risk of additional members of the community being exposed to undesirable noise levels where it is likely to have significant adverse impact on health and quality of life.
- Protection - protect areas which are desirably quiet, or which offer a sense of tranquillity through a process of identification and validation followed by formal designation of 'Quiet Areas'.
- Mitigation – identify and prioritise appropriate mitigation measures to reduce noise levels where they are potentially harmful.

4.1.2 Extent of the Noise Action Plan Area

In County Cavan, the primary noise source to be considered by the Action Planning Authority relates to major roads carrying >3 million vehicles per year, as defined in the Regulations. There are two national primary roads within the county; the N3 & N16 and three national secondary roads; N54, N55 and N87. The N3, N55 and the R212-3 and R212-4 have been included in the strategic noise map undertaken by the National Roads Authority.

The strategic noise maps prepared in 2022/2023 are based on road traffic movements for Q3 and Q4 2021. The Strategic Noise Maps present noise contours for the following two noise indicators in line with the requirements of the Regulations;

- **L_{den}** - The day - evening - night level is a noise indicator for overall annoyance based upon annual average A-weighted long-term sound over 24 hours with a 5dB(A) penalty for evening noise (19:00 – 23:00) and a 10 dB(A) penalty for night time noise (23:00 – 07:00). L_{den} noise levels above the threshold of 55dB are required to be reported to the European Commission.
- **L_{night}** – The night level is a noise indicator for sleep disturbance based upon annual average A-weighted long-term sound over the night period (23:00 – 07:00). L_{night} noise levels above the threshold of 50dB are required to be reported to the European Commission.

4.1.3 Location of Noise Sensitive Groups

For the purposes of this Noise Action Plan, the following locations are considered noise sensitive areas. The grounds around; places of worship, hospitals, including nursing and convalescence homes, educational institutions, and childcare\crèche facilities.

4.1.4 Description of the Main Infrastructure/Services.

Two national primary routes pass through the county, The N3 road and the N16 road. The N3 is the longest route in Cavan, crossing the county for 60 km from the Meath border at Whitegate near Virginia and through Belturbet into Fermanagh. This route links Dublin to Enniskillen in Northern Ireland via the A32 and A4. The N16 begins in Sligo and ends at Blacklion in the far northwestern tip of Cavan, it crosses the county for roughly 7km. Three national secondary routes pass through the county. The N87 road begins in Belturbet and passes through Ballyconnell and Swanlinbar

before crossing into County Fermanagh where it becomes the A32. The N54 route from Monaghan and Clones joins the N3 at Butlers Bridge. The N55 links Cavan to the large town of Athlone via Ballinagh and Granard.

There are no airports or rail lines in Cavan relevant to this Noise Action Plan.

4.1.5 Identification of Areas to be Subject to Noise Management Activities

Two national primary routes pass through the county, The N3 road and the N16 road. The N3 is the longest route in Cavan, crossing the county for 60 km from the Meath border at Whitegate near Virginia and through Belturbet into Fermanagh. This route links Dublin to Enniskillen in Northern Ireland via the A32 and A4. The N16 begins in Sligo and ends at Blacklion in the far northwestern tip of Cavan, it crosses the county for roughly 7km.

Three national secondary routes pass through the county. The N87 road begins in Belturbet and passes through Ballyconnell and Swanlinbar before crossing into County Fermanagh where it becomes the A32. The N54 route from Monaghan and Clones joins the N3 at Butlers Bridge. The N55 links Cavan to the large town of Athlone via Ballinagh and Granard.

There are no airports or rail lines in Cavan relevant to this Noise Action Plan.

Identification of Areas to be Subject to Noise Management Activities

The Regulations require that Cavan County Council as the Action Planning Authority address “priorities” and “the most important area or areas” with a view to identifying “measures” that will help “avoid, prevent or reduce” the “harmful effects, including annoyance, due to exposure to environmental noise.”

The EPA Guidance provides further guidance on these concepts, and sets out a recommended approach to identifying priorities:

1. **Important Areas (IAs)** – these are locations exposed to environmental noise which exceed “any relevant noise limit” as established by the EPA in their guidance.
2. **Most Important Areas (MIAs)** – these locations are a sub-set of Important Areas where the health effects are highest, typically through a product of noise exposure levels and the number of people highly annoyed.
3. **Priority Important Areas (PIAs)** – between 5 and 10 Most Important Areas or group of similarly affected Most Important Areas, identified, through a prioritisation process, as those which will be evaluated and addressed during the implementation of the Noise Action Plan.

The process of identifying Important Areas, Most Important Areas and the indicative list of Priority Important Areas is Stage 1 of a two-stage process for the identification of areas to be subject to noise management activities.

Stage 1 includes using the results of the strategic noise maps to identify the number of people and noise sensitive properties exposed to levels above the limits set by the EPA Guidance which are in line with the 2018 WHO Environmental Noise Guidelines for the European Region (WHO ENG 2018). These limits for Road traffic noise: 53 dB Lden and 45 dB Lnight.

The findings of the Important Area process are then used to inform an automated process within Geographic Information System (GIS) software to generate raster heatmaps of the relative number of people highly annoyed due to noise in a given area, referred to as Most Important Areas. The APA, in consultation with the Noise Mapping Bodies (NMBs), are to prioritise the Most Important Areas to identify which are to be addressed during the implementation of the NAP, referred to as Priority Important Areas.

Stage 2 of the process takes place during the implementation of the NAP, focussing on undertaking an assessment of noise mitigation measures for each of the identified Priority Important Areas.

4.1.6 Mitigation and Protection Measures

Priority Important Areas have been identified within County Cavan as those where noise management activities are to be considered during the implementation of the Noise Action Plan. The Priority Important Areas have been identified with respect to noise from roads only.

Considering the multitude and diversity of noise management options, choosing a noise mitigation measure necessitates evaluating its potential effectiveness in reducing noise exposure and adverse effects, while also considering its associated costs. The general steps in this process, which will be considered by Cavan County Council in consultation and collaboration with the Transport Infrastructure Ireland (TII) during the implementation of the Noise Action Plan, are:

1. Noise measurements at Priority Important Areas.
2. Review of the assumptions used to identify the Priority Important Areas.
3. Re-evaluation and confirmation of Priority Important Areas.
4. Identification of practical noise mitigation measures.
5. Appraisal of noise mitigation measures monetised benefits to health.
6. Financial assessment of noise mitigation measures.
7. Cost-benefit analysis.
8. Recommendation of noise mitigation measure(s).

Each of these steps is further elaborated upon in the subsequent sections. The appraisal of the noise mitigation measures shall be undertaken during the implementation of the plan.

4.1.7 Evaluation, Review and Corrective Action Programmes

A review of the progress of this Noise Action Plan will be carried out annually by Cavan County Council to assess progress against any programme of works. An interim summary report will be prepared when deemed necessary. This report will highlight progress in implementation of action plan measures and will also identify areas where corrective action is required or where the proposed measures must be modified for reasons unforeseen at present.

There are a number of risk factors associated with the delivery of this Noise Action Plan, particularly financial risks. Some critical elements of the Action Plan are outside the control of Cavan County Council and will require the approval of other statutory bodies. Also, the financial resources required to deliver the programme has yet to be determined and the delivery of the noise action plan will be contingent on adequate funding being available. In view of these uncertainties, it is important that the programme is subject to an ongoing review so as to alert all relevant parties to any change in circumstances. Cavan County Council will review the programme on an annual basis and advise all relevant bodies on how the key outcomes are being progressed.

In 2028 the Council will carry out a review of the program of works implemented under this action plan. Progress and results will be evaluated using information gathered through local assessment of environmental noise exposure. This will include "before and after" evaluations of any noise mitigation measures. A review of new noise maps will also be carried out, giving an indication of the change in environmental noise levels and the numbers of people exposed.

4.2 Identification of Relevant Natura 2000 Sites

In accordance with the guidelines issued by the Department of the Environment and Local Government, a list of Natura 2000 sites within 15km of the plan have been identified and described according to their site synopsis, qualifying interests, and conservation objectives. In addition, any other sites further than this, but potentially within its Zone of Interest were also considered. The Zone of Interest may be determined by an assessment of the connectivity between the application site and the designated areas by virtue of hydrological connectivity, atmospheric emissions, flight paths, ecological corridors etc.

For significant effects to arise, there must be a potential impact facilitated by having a source, i.e., the proposed development and activities arising out of its construction or operation, a receptor, i.e., the European site and its qualifying interests and a subsequent pathway or connectivity between the source and receptor, e.g., a water course. The likelihood for significant effects on the European site will largely depend on the characteristics of the source (e.g., nature and scale of the construction works), the characteristics of the existing pathway and the characteristics of the receptor, e.g., the sensitivities of the Qualifying Interests (habitats or species) to changes in water quality.

There are 27 Natura 2000 designated sites either within County Cavan or within 15km of the plan area, i.e., the Cavan County Boundary. These designated areas and their closest points to the Cavan county boundary are summarised in Table 1 and maps showing their locations relative to the application site are shown in Figures 1 and 2. A full description of these sites can be read on the website of the National Parks and Wildlife Service (npws.ie).

The Site-Specific Conservation Objectives (SSCO's) of each site were also consulted to inform the assessment. Since the conservation objectives for the European Sites focus on maintaining the favourable conservation condition of the QIs of each site, the screening process concentrated on assessing the potential effects of the plan against the QIs of each site.

Site Name & Code	County	Distance	Qualifying Interests	Conservation Objectives
Special Areas of Conservation (SACs)				
Killyconny Bog (Cloghbally SAC) 000006	Within	Cavan	<ul style="list-style-type: none"> Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120] 	Site Specific Conservation Objectives (SSCOs) for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000006.pdf
Lough Oughter And Associated Loughs SAC 000007	Within	Cavan	<ul style="list-style-type: none"> Natural eutrophic lakes with Magnopotamion or Hydrocharition – type vegetation [3150] Bog woodland [91D0] <i>Lutra lutra</i> (Otter) [13550] 	Site Specific Conservation Objectives (SSCOs) for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000007.pdf
Cuilcagh-Anierin Uplands SAC 000584 (Also designated as an SAC on UK side)	Within	Cavan/Leitrim	<ul style="list-style-type: none"> Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or of the Isoeto-Nanojuncetea [3110] Natural dystrophic lakes and ponds [3160] Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010] European dry heaths [4030] Alpine and boreal heaths [4060] Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230] Blanket bogs (* if active bog) [7130] Transition mires and quaking bogs [7140] Petrifying springs with tufa formation (Cratoneurion) [7220] Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>) [8110] Siliceous rocky slopes with chasmophytic vegetation [8220] Slender green feather-moss <i>Drepanocladus vernicosus</i> [62160] 	Site Specific Conservation Objectives (SSCOs) for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000584.pdf
Corratirim SAC 000979	Within	Cavan	<ul style="list-style-type: none"> Limestone pavement [8240] 	Site Specific Conservation Objectives (SSCOs) for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000979.pdf

				sites/conservation_objectives/CO000979.pdf
Boleybrack Mountain SAC 002032	Within	Cavan / Leitrim	<ul style="list-style-type: none"> Natural dystrophic lakes and ponds [3160] Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010] European dry heaths [4030] Molinia meadows on calcareous, peaty, or clayey-silt-laden soils [6410] Blanket Bogs (if active bog) [7130] 	Site Specific Conservation Objectives (SSCOs)m for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002032.pdf
River Boyne and Blackwater SAC 002299	Within	Cavan/ Westmeath / Meath / Louth	<ul style="list-style-type: none"> Alluvial forests with alder <i>Alnus glutinosa</i> and ash <i>Fraxinus excelsior</i> [91E0] Alkaline fens [7230] Salmon (<i>Salmo salar</i>) [1106] Otter (<i>Lutra lutra</i>) [1355] River lamprey (<i>Lampetra fluviatilis</i>) [1099] 	Site Specific Conservation Objectives (SSCOs)m for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002299.pdf
Upper Lough Erne SAC UK0016614	On Border	Fermanagh	<ul style="list-style-type: none"> Natural eutrophic lakes with Magnopotamion or Hydrocharition-type vegetation [3150] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0]* Otter (<i>Lutra lutra</i>) [1355] 	UK Site – SSCOS not available.
Cladagh (Swanlinbar) River SAC UK0030116	On Border	Fermanagh	<ul style="list-style-type: none"> Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation [3260] Freshwater Pearl Mussel <i>Margaritifera Margaritifera</i> [1029] 	UK Site – SSCOS not available.
Moninea Bog SAC UK0030212	0.76km north	Fermanagh	<ul style="list-style-type: none"> Active raised bog [7110] 	
Derragh Bog SAC 002201	0.86km	Longford	<ul style="list-style-type: none"> Active raised bog [7110] Degraded raised bogs still capable of natural regeneration [7120] 	Site Specific Conservation Objectives (SSCOs)m for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002201.pdf
Moneybeg And Clareisland	1.6km	Westmeath/ Meath	<ul style="list-style-type: none"> Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120] 	Site Specific Conservation Objectives (SSCOs)m for this site are available at https://www.npws.ie/sites/d

Bogs SAC 002340				<ul style="list-style-type: none"> • Depressions on peat substrates of the Rhynchosporion [7150] 	default/files/protected-sites/conservation_objectives/CO002340.pdf
White Ben And Doo Loughs SAC 001810	6.4km	Meath / Westmeath		<ul style="list-style-type: none"> • Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> spp. [3140] • <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092] 	Site Specific Conservation Objectives (SSCOs)m for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO001810.pdf
Magheraveely Marl Loughs SAC UK0016621	6.8km	Fermanagh		<ul style="list-style-type: none"> • Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> spp. [3140] • Calcareous fens with <i>Cladium mariscus</i> and species of the Caricion davallianae [7210] • Alkaline fens [7230] • <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092] 	
Lough Gill SAC 001976	6.97km	Sligo / Leitrim		<ul style="list-style-type: none"> • Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation [3150] • Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] • Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] • Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> [91E0] • <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092] • <i>Petromyzon marinus</i> (Sea Lamprey) [1095] • <i>Lampetra planeri</i> (Brook Lamprey) [1096] • <i>Lampetra fluviatilis</i> (River Lamprey) [10999] • <i>Salmo salar</i> (Salmon) [1106] • <i>Lutra lutra</i> (Otter) [1355] 	Site Specific Conservation Objectives (SSCOs)m for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO001976.pdf
Lough Bane And Glass Lough SAC 002120	8.22km	Meath / Westmeath		<ul style="list-style-type: none"> • Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> spp. [3140] • <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092] 	Site Specific Conservation Objectives (SSCOs)m for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002120.pdf
Ardagullion Bog SAC 002341	8.66km	Longford		<ul style="list-style-type: none"> • Degraded raised bogs still capable of natural regeneration [7120] • Depressions on peat substrates of the Rhynchosporion [7150] • Bog woodland [91D0] 	Site Specific Conservation Objectives (SSCOs)m for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002341.pdf

				sites/conservation_objectives/CO002341.pdf
Kilroosky Lough Cluster SAC 001786	8.8km	Monaghan	<ul style="list-style-type: none"> • Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> spp. [3140] • Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> [7210] • Alkaline fens [7230] • <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092] 	Site Specific Conservation Objectives (SSCOs)m for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO001786.pdf
Girley (Drewstown) Bog SAC 002203	10.6km	Meath	<ul style="list-style-type: none"> • Degraded raised bogs still capable of natural regeneration [7120] 	Site Specific Conservation Objectives (SSCOs)m for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002203.pdf
Lough Lene SAC 002121	10.69	Westmeath	<ul style="list-style-type: none"> • Hard oligo-mesotrophic waters with benthic vegetation of <i>Chara</i> spp. [3140] • <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092] 	Site Specific Conservation Objectives (SSCOs)m for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002121.pdf
Garriskil Bog SAC 000679	11.4km	Westmeath	<ul style="list-style-type: none"> • Active raised bogs [7110] • Degraded raised bogs still capable of natural regeneration [7120] • Depressions on peat substrates of the <i>Rhynchosporion</i> [7150] 	Site Specific Conservation Objectives (SSCOs)m for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000679.pdf
Lough Melvin SAC 000428 (Also designated as an SAC on UK side)	13.2km	Sligo	<ul style="list-style-type: none"> • Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoetoneanojuncetea</i> [3130] • <i>Molinia</i> meadows on calcareous, peaty, or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410] • <i>Salmo salar</i> (Salmon) [1106] • <i>Lutra lutra</i> (Otter) [1355] 	Site Specific Conservation Objectives (SSCOs)m for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000428.pdf
Arroo Mountain SAC 001403	13.7km	Leitrim	<ul style="list-style-type: none"> • Northern Atlantic wet heaths with <i>Erica tetralix</i> [40100] • European dry heaths [4030] • Alpine and Boreal heaths [4060] • Blanket bogs (* if active bog) [7130] • Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220] 	Site Specific Conservation Objectives (SSCOs)m for this site are available at https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO001403.pdf

			<ul style="list-style-type: none"> • Calcareous and calcshist screes of the montane to alpine levels [8120] (<i>Thlaspietea rotundifolii</i>) • Calcareous rocky slopes with chasmophytic vegetation [8210] 	
Special Protection Areas (SPAS)				
Lough Oughter SPA 004049	Within	Cavan	<ul style="list-style-type: none"> • Great Crested Grebe (<i>Podiceps cristatus</i>) [A005] • Whooper Swan (<i>Cygnus cygnus</i>) [A038] • Wigeon (<i>Anas penelope</i>) [A050] • Wetland and Waterbirds [A999] 	<p>The generic conservation objectives of this designated site are:</p> <ul style="list-style-type: none"> ○ To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA. <p>To maintain or restore the favourable conservation condition of the wetland habitat of the SPA as a resource for the regularly-occurring migratory waterbirds that utilise it</p>
Lough Kinale and Derragh Lough SPA 004061	Within	Cavan/Longford/Westmeath	<ul style="list-style-type: none"> • Pochard (<i>Aythya ferina</i>) [A059] • Tufted Duck (<i>Aythya fuligula</i>) [A061] • Wetland and Waterbirds [A999] 	<p>The generic conservation objectives of this designated site are:</p> <ul style="list-style-type: none"> ○ To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA. <p>To maintain or restore the favourable conservation condition of the wetland habitat of the SPA as a resource for the regularly-occurring migratory waterbirds that utilise it</p>
Lough Sheelin SPA 004065	Within	Cavan/Meath/Westmeath	<ul style="list-style-type: none"> • Great Crested Grebe (<i>Podiceps cristatus</i>) [A005] • Pochard (<i>Aythya ferina</i>) [A059] • Tufted Duck (<i>Aythya fuligula</i>) [A061] • Goldeneye (<i>Bucephala clangula</i>) [A067] • Wetland and Waterbirds [A999] 	<p>The generic conservation objectives of this designated site are:</p> <ul style="list-style-type: none"> ○ To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA. ○ To maintain or restore the favourable conservation condition of the wetland habitat of the SPA as a resource for the regularly-occurring migratory waterbirds that utilise it

The River Boyne and Blackwater SPA 004232	Within	Cavan / Meath / Westmeath / Louth	<ul style="list-style-type: none"> Kingfisher <i>Alcedo atthis</i> [A229] 	<p>The generic conservation objective of this designated site is:</p> <p>To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA</p>
Upper Lough Erne SPA UK9020071	On Border	Fermanagh	<ul style="list-style-type: none"> Whooper Swan <i>Cygnus cygnus</i> [A038] 	
Garriskil Bog SPA 004102	11.4km	Westmeath	<ul style="list-style-type: none"> Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) [A395] 	<p>The generic conservation objective of this designated site is:</p> <p>To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA</p>
Lough Derravaragh SPA 004043	11.9km	Westmeath	<ul style="list-style-type: none"> Whooper Swan (<i>Cygnus cygnus</i>) [A038] Pochard (<i>Aythya ferina</i>) [A059] Tufted Duck (<i>Aythya fuligula</i>) [A061] Coot (<i>Fulica atra</i>) [A125] Wetland and Waterbirds [A999] 	<p>The generic conservation objectives of this designated site are:</p> <ul style="list-style-type: none"> To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA. To maintain or restore the favourable conservation condition of the wetland habitat of the SPA as a resource for the regularly-occurring migratory waterbirds that utilise it

Table 1 – Natura 2000 Sites Within 15km / Zone of Influence of the Plan

4.3 AA Screening Matrix

The AA Screening Matrix (based on the Guidance in "Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC" is presented below in Table 2.

Brief Description of the Plan
<p>Cavan County Council (Draft) Noise Action Plan (2024-2028) has been prepared for major roads carrying more than three million vehicles per annum, which in County Cavan comprises the N3 & N16 and three national secondary roads; N54, N55 and N87. The N3, N55 and the R212-3 and R212-4 have been included in the strategic noise map undertaken by the National Roads Authority. This is the fourth round of noise action planning for County Cavan, and this Noise Action Plan reports the findings of the strategic noise mapping prepared in consultation with Transport Infrastructure Ireland (TII) and the Environment Protection Agency (EPA), and in respect of the calendar year 2021 for noise from Road traffic. This Noise Action Plan has been prepared in accordance with the Regulations and is aimed at strategic long-term management of environmental noise from transport systems and is based on the results of the strategic noise maps which informed assessments of population exposure and harmful effects of noise. The results have been used to identify areas within County Cavan, to be subject to noise management activities during the implementation of the Noise Action Plan. These are referred to as Priority Important Areas.</p>
Identification of Natura 2000 Sites
<p>Natura 2000 sites within County Cavan and within 15km / Zone of Influence of the County were considered in Table 1 and Section 4.2. There are 27 Natura 2000 sites within the plan area.</p>
Is the plan directly connected with, or necessary to the management of the Natura 2000 site(s)?
<p>The Plan is not directly connected with, or necessary to, the conservation management objectives of the above listed Natura 2000 sites in Section 4.2. There will be no changes in land-use arising from the implementation of this Action Plan.</p>
Describe the individual elements of the NAP (either alone or in combination with other plans or projects) likely to give rise to impacts on the European Sites.
<p>Noise can be a principal source of disturbance for species listed as QIs of SACs and SPAs. The purpose of the NAP is to provide a strategic long-term management of environmental noise from traffic on major routes within the County, particularly where the noise exposure levels have the potential to induce harmful effects on human health. This will require reduction of existing environmental traffic noise where practical and also protection of the future noise climate in areas not currently impacted by traffic noise. The NAP will not result in the construction of any infrastructure or changes in existing land use within Cavan County. The NAP does not propose any measures which could increase or negatively affect existing noise levels in the county and</p>

subsequently within Natura 2000 sites. As a consequence of the measures included in the NAP, any reduction in noise in areas near to, or within Natura 2000 sites will ultimately contribute to a beneficial effect in these sites and their QI features. The potential noise impacts that arise from future development works will be assessed in their own right through Planning and Licensing processes, including through Environmental Impact Assessments, Strategic Environmental Assessments, Appropriate Assessments and application of relevant Guidance relating to noise.

Describe any likely direct, indirect, or secondary impacts of the project (either alone or in combination with other plans or projects) on the nearby Natura 2000 sites by virtue of:

Size and scale: The NAP will have no significant effects upon Natura 2000 sites by virtue of its size and scale. No Significant Effects Likely.

Land-take: There will be no land-take from any Natura 2000 site. No Significant Effects Likely.

Distance from Natura 2000 site or key features of the site: There are 27 Natura 2000 sites within the Zone of Influence / 15km of the plan boundary. No Significant Effects Likely.

Resource requirements (water abstraction etc.): There will be no resource requirements from any Natura 2000 site. No Significant Effects Likely.

Excavation requirements: There will be no excavation requirements from any Natura 2000 site. No Significant Effects Likely.

Transportation requirements: There will be no excavation requirements from any Natura 2000 site. No Significant Effects Likely.

Duration of construction, operation, decommissioning etc: The Plan pertains to the period covering 2024-2028. No Significant Effects Likely.

Describe any likely changes to the nearby Natura 2000 sites arising as a result of:

Reduction of habitat area: There will be no reduction of habitat area in any Natura 2000 site.

Disturbance to key species: There will be no disturbance to key species in any Natura 2000 site.

Habitat or species fragmentation: There will be no habitat or species fragmentation in any Natura 2000 site.

Reduction in species density: There will be no reduction in species density in any Natura 2000 site.

Changes in key indicators of conservation value (water quality etc.): There will be no changes in key indicators of conservation value in any Natura 2000 site. There will be no reductions in water quality in any designated site.

Describe any likely impacts on the nearby Natura 2000 sites as a whole in terms of:

Interference with the key relationships that define the structure or function of the site: It is not considered likely that there will be any significant impacts on the key relationships that define the structure or function of the Natura 2000 sites identified.

Provide indicators of significance as a result of the identification of effects set out above in terms of:
<p>Loss - Estimated percentage of lost area of habitat: None</p> <p>Fragmentation: None</p> <p>Disruption & disturbance: None</p> <p>Change to key elements of the site (e.g. water quality etc.): None</p>
Are there other projects or plans that together with the project of plan being assessed could affect the site? (In-Combination Impacts/Effects)
<p>Article 6(3) of the Habitats Directive requires an assessment of a plan or project to consider other plans or programmes that might, in combinations with the plan or project, have the potential to adversely impact upon European Sites. The following plans have been considered:</p> <ul style="list-style-type: none"> o Ireland 2040 - Our Plan, the National Planning Framework o Regional Spatial Economic Strategy (Replacing Regional Planning Guidelines; will commence in 2019 and will be adopted over lifetime of the Plan) o Regional Planning Guidelines for the Border Region 2010 - 2022 o Cavan County Development Plan 2022-2028 <p>The County Cavan NAP when considered on its own will have no significant effects upon the Natura 2000 sites within the Zone of Influence of the plan boundary and therefore, the potential for in-combination effects to arise when the NAP plan is considered with the implementation of the plans cited above, or other plans / projects is low.</p>

5.0 Appropriate Assessment Conclusion

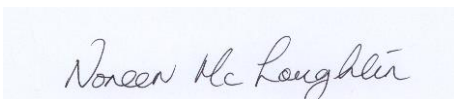
In accordance with Article 6(3) of the Habitats Directive, the relevant case law, established best practice and the precautionary principle, this AA Screening Report has examined the details of the County Cavan Noise Action Plan in relation to the relevant Natura 2000 sites within 15km / Zone of Influence of the County.

At this stage of the AA process, it is for the competent authority, i.e., Cavan County Council, to carry out the screening for AA and to reach one of the following determinations:

a) AA of the plan is required if it cannot be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites;

b) AA of the plan is *not* required if it can be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites.

It is of the opinion of the authors that an AA of the plan is not required as it can be excluded, on the basis of objective information provided in this report, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites.



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