Appropriate Assessment Screening

as required under Article 6(3) of the Habitats Directive

7th April 2014

Installation of two Fibre Optic Cables,
at Ballycotton Bay, Co. Cork

Prepared by: Moore Group – Environmental Services

On behalf of PiPiper Infrastructure &
Cork County Council

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1. Introduction

1.1. General Introduction

The Habitats Directive (Council Directive 92/43/EEC) requires that all plans and projects must be screened for potential impact on Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). This process aims to establish whether a full Appropriate Assessment as required by Article 6 of the Directive is required in any particular case.

This report contains information required for the competent authority, in this case Cork County Council, to complete an Appropriate Assessment (AA) on the effects of a project consisting of the installation of a fibre optic cable from an offshore location through the intertidal foreshore and linking to a terrestrial connection at Ballycotton Bay, Co. Cork.

The project site is located adjacent to the Ballycotton Bay SPA (Site Code 004022) which forms part of the Natura 2000 network of sites of highest biodiversity importance for rare and threatened habitats and species across the EU.

It has been prepared by Moore Group - Environmental Services for PiPiper Infrastructure and Cork County Council in accordance with Articles 6(3) and 6(4) of the Habitats Directive. The report was compiled by Ger O’Donohoe (B.Sc. Applied Aquatic Sciences (GMIT, 1993) & M.Sc. Environmental Sciences (TCD, 1999)) who has 20 years experience in environmental impact assessment and has completed numerous Appropriate Assessment Screening Reports and Natura Impact Statements in terrestrial and aquatic habitats.

It assesses the potential for the proposed development to impact on sites of European-scale ecological importance. It is necessary that the Project has regard to Article 6 of the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (referred to as the Habitats Directive). This is transposed into Irish Law by the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477) (referred to as the Habitats Regulations).
1.2. Legislative Background - The Habitats and Birds Directives

The Habitats Directive (Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora) is the main legislative instrument for the protection and conservation of biodiversity in the EU. Under the Directive member States are obliged to designate Special Areas of Conservation (SACs) which contain habitats or species considered important for protection and conservation in a European Union context.

The Birds Directive (Council Directive 79/409/EEC on the conservation of wild birds), is concerned with the long-term protection and management of all wild bird species and their habitats in the EU. Among other things, the Directive requires that Special Protection Areas (SPAs) be established to protect migratory species and species which are rare, vulnerable, in danger of extinction, or otherwise require special attention.

Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas, designated under the Birds Directive, form a pan-European network of protected sites known as Natura 2000. The Habitats Directive sets out a unified system for the protection and management of SACs and SPAs.

Articles 6(3) and 6(4) of the Habitats Directive set out the requirement for an assessment of proposed plans and projects likely to affect Natura 2000 sites.

Article 6(3) establishes the requirement to screen all plans and projects and to carry out a further assessment if required (Appropriate Assessment (AA)):

Article 6(3): “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 subjected to an appropriate assessment of its implications for the site in view of the site’s conservation objectives. In 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): “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, Member States shall take all compensatory measures necessary to ensure that the overall coherence of the 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 the beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.”

This Screening Report is a documentary record of the Appropriate Assessment process on the effects of the installation of two Fibre Optic cables on the foreshore at Ballycotton Bay, Co. Cork.

2. Methodology

The Commission’s methodological guidance (EC, 2002) promotes a four-stage process to complete the AA, and outlines the issues and tests at each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

Stages 1-2 deal with the main requirements for assessment under Article 6(3). Stage 3 may be part of Article 6(3) or may be a necessary precursor to Stage 4. Stage 4 is the main derogation step of Article 6(4).

Stage 1 Screening: This stage examines the likely effects of a project either alone or in combination with other projects upon a Natura 2000 site and considers whether it can be objectively concluded that these effects will not be significant.

Stage 2 Appropriate Assessment: In this stage, the impact of the project is considered on the integrity of the Natura 2000 site with respect to the conservation objectives of the site and to its structure and function.

Stage 3 Assessment of Alternative Solutions: This stage examines alternative ways of implementing the project that, where possible, avoid any adverse impacts on the integrity of the Natura 2000 site.

Stage 4 Assessment where no alternative solutions exist and where adverse impacts remain: Where imperative reasons of overriding public interest (IROPI) exist, an assessment to consider whether compensatory
In order to ensure that the Project complies fully with the requirements of Article 6 of the Habitats Directive and all relevant Irish transposing legislation, Moore Group carried out screening of the Project on behalf of Cork County Council to determine if Stage 2 AA is required.

2.1. Guidance

The AA has been compiled in accordance with guidance contained in the following documents:


2.2. Data Sources

Sources of information that were used to collect data on the Natura 2000 network of sites are listed below:

- Ordnance Survey of Ireland mapping and aerial photography available from www.osi.ie, Google Earth and Bing aerial photography.
- Online data available on Natura 2000 sites as held by the National Parks and Wildlife Service (NPWS) from www.npws.ie including; the Natura 2000 network Data Form; Site Synopsis; Generic Conservation Objective data
  - Online database of rare, threatened and protected species
  - Publicly accessible biodiversity datasets.
- Status of EU Protected Habitats in Ireland. (National Parks & Wildlife Service, 2008)
3. Description of the Project

The cables to be laid in the intertidal area will be comprised of fibre optic cable protected in a steel casing. The operation will centre on a narrow section of foreshore off the coast of Garryvoe, in Ballycotton Bay, see Figure 1. The following generic methodology will be employed during the installation process.

![Figure 1. Site Location of the proposed cable landing point near Garryvoe Lower in Ballycotton Bay.](image)

Prior to the date of the cable landing it is anticipated that the BMH will have been constructed and installed at the eastern side and north of the access to the beach.
Seaward ducts from BMH will be pre-installed to a concrete foot located at a suitable location on the beach access road, it will be buried to a minimum 2 m below surface. The seaward ducts will normally be heavy density PVC pipe 4”-6” in diameter, and will be backfilled prior to commencing cable landing operation.

Divers will be deployed from a dive boat to swim the proposed route checking that the seabed route is clear of any obstructions.

On the day of the cable landing operations excavators, cable winch, rigging will be moved on site. The Beach Landing party will have deployed 1 or 2 Quadrants on the beach to assist in guiding the cable along the designated installation pathway to the BMH and the seaward end of the duct will be exposed.

The Main lay vessel will be ready in position at first light and will transfer a messenger line to the small boat, the boat will either tow the cable in or pull the messenger rope in to the beach party.

The messenger line will be connected to excavator doing beach pulls (if not using a large winch). When connected beach pull starts and vessel crew will add floats to the cable as it is deployed from the vessel, see Plate 1.

Plate 1. Showing a similar Fibre Optic cable being installed in a similar environment.
When sufficient cable is on the beach cable will be secured, on the beach, the floating cable will be adjusted to suit route and then the divers will start to remove the cable floats and cable will sink to the seabed.

When the cable is on seabed, the divers will inspect the cable and may do some minor slack adjustment where possible/required.

The cable end will be pulled into the pre installed duct at the BMH and checked/tested. Once the test has been successfully tested the ship will commence laying the cable to the south.

The cable across the beach will have articulated pipe installed to the Low Water Mark (possibly further if required).

After the articulated pipe has been installed, a trench will be dug at the side of the cable and the cable will be lowered into the trench. This will continue towards the low water line, the cable may be hand jetted (using water pressure) to lower the cable to 1m or best endeavours below the seabed.

As soon as the cable has been installed in the trench the trench will be backfilled, and the beach will be restored to the original profile. All equipment will be removed from the site.

It is expected that the sand will have resorted to a natural state after one tidal cycle. The intertidal cable laying works will take one day to complete. The works will be carried out during the summer months in order to avoid any disturbance to the birds that over-winter in the adjacent SPA.

4. Identification of Natura 2000 Sites

4.1. Description of Natura Sites Potentially Affected

The project site is located adjacent to the Ballycotton Bay SPA (Site Code 004022). The location of the project site is presented in relation to the Natura 2000 sites in Figure 1 and in detail in Figure 2 below.

Details of the qualifying Interests of the Natura 2000 sites are listed in Table 1 below and Site Synopses for all sites are available on the NPWS metadata site. Spatial boundary data on the Natura 2000 network was extracted from the NPWS website on 20th March 2014 (See Figure 2).
Figure 2. Showing the location of the project in relation to the nearby Natura 2000 Site in Ballycotton Bay.
Figure 3. Indicative route of the proposed FO Cables in relation to the nearby SPA Natura 2000 Site in Ballycotton Bay.
Table 1. Special Areas of Conservation located within 5km of the Project (*indicates priority habitat).

<table>
<thead>
<tr>
<th>Site Code</th>
<th>Site Name</th>
<th>Qualifying Habits</th>
<th>Qualifying Species</th>
</tr>
</thead>
<tbody>
<tr>
<td>004022</td>
<td>Ballycotton Bay SPA</td>
<td>Wetlands [A999]</td>
<td>Teal (Anas crecca) [A052]</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Ringed Plover (Charadrius hiaticula) [A137]</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Golden Plover (Pluvialis apricaria) [A140]</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Grey Plover (Pluvialis squatarola) [A141]</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lapwing (Vanellus vanellus) [A142]</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Black-tailed Godwit (Limosa limosa) [A156]</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Bar-tailed Godwit (Limosa lapponica) [A157]</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Curlew (Numenius arquata) [A160]</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Turnstone (Arenaria interpres) [A169]</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Common Gull (Larus canus) [A182]</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lesser Black-backed Gull (Larus fuscus) [A183] <em>(all wintering)</em></td>
</tr>
</tbody>
</table>

4.2. Conservation Objectives of the Natura 2000 Sites

The following Conservation Objectives, available from the NPWS (Generic Version 4, 16th April 2012), are set out for the Ballycotton Bay SPA:

Objective: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.

Favourable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing, and
- 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, and
- the conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

- 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, and
• the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
• there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

In the absence of detail conservation objectives the following generic objective is listed for other SPAs:

**A999 Wetlands**

To maintain the favourable conservation condition of wetland habitat in the SPA as a resource for the regularly occurring migratory waterbirds that utilise it. This is defined by the following attribute and target:

Habitat area; Hectares - The permanent area occupied by the wetland habitat should be stable and not significantly less than the SPA area, other than that occurring from natural patterns of variation.

**4.3. Assessment Criteria**

**4.3.1. Examples of Direct, Indirect or Secondary Impacts**

In order to identify those sites that could be potentially affected, it is necessary to describe the Natura 2000 site in the context of why it has been designated i.e. in terms of its Qualifying Interests and the environmental and ecological conditions that maintain the condition of these features. The underpinning conditions that are required to maintain the ‘health’ of these features are listed in Table 2 below.

**Table 2. Qualifying Interests and Key environmental conditions supporting site integrity.**

<table>
<thead>
<tr>
<th>Qualifying Interests</th>
<th>Key environmental conditions supporting site integrity</th>
<th>Current Threats to Qualifying Interests</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetlands &amp; Waterbirds</td>
<td>Highly sensitive to hydrological changes and loss of wetland habitat. Sensitive to disturbance.</td>
<td>A number of pressures have been identified by Crowe (2005). These pressures include: the modification of wetland sites, particularly for industry or housing and increased levels of disturbance, largely related to recreational activity. Eutrophication at a number of wetland sites as a result of nutrient inputs from a range of polluting environments.</td>
</tr>
</tbody>
</table>
activities were also identified as a potential pressure. However this latter pressure is now being alleviated through stricter control of activities associated with water discharge/runoff etc. Climate change was also noted as a significant factor underlying changes in trends of wintering waterbirds in Ireland.

4.3.2. Ecological Network Supporting Natura 2000 Sites

An analysis of the proposed Natural Heritage Areas and designated Natural Heritage Areas in terms of their role in supporting the species using Natura 2000 sites was undertaken. It was assumed that these supporting roles mainly related to mobile fauna such as mammals and birds which may use pNHAs and NHAs as “stepping stones” between Natura 2000 sites.

Article 10 of the Habitats Directive and the Habitats Regulations 2011 place a high degree of importance on such non-Natura 2000 areas as features that connect the Natura 2000 network. Features such as ponds, woodlands and important hedgerows were taken into account during the rest of the AA process.

The Natura 2000 site listed is also a proposed Natural Heritage Areas. Given the dual designation of sites, it is considered under the higher level Natura 2000 site status.

5. Identification of Potential Impacts & Assessment of Significance

5.1. Potential Impacts

This section uses the information collected on the sensitivity of the Natura 2000 site and describes any likely significant effects of implementation of the Project.

The likely significant effects of the Project are presented in Table 3, both in isolation and potentially in combination with other plans and projects.

The proposed cable route is located outside the SPA designated area and there would be no direct impacts on the SPA.
Having established this, the assessment emphasis is placed on potential indirect and cumulative impacts. A worst case scenario would occur whereby the project would result in a significant impact on wintering bird species either alone or in combination with other projects or plans as a result of disturbance. This can be avoided by carrying out the proposed works during the summer months. This would be a prerequisite of the project in any case given the requirement for calm sea condition while laying the cable.

The intertidal works would be confined to a narrow area on the foreshore and it is expected to be completed in one day. The disturbed area will have resorted to a natural state after one tidal cycle and will have reverted to a natural state by the following winter period.

5.2. Assessment of Potential Cumulative Effects

Cumulative impacts or effects are changes in the environment that result from numerous human-induced, small-scale alterations. Cumulative impacts can be thought of as occurring through two main pathways: first, through persistent additions or losses of the same materials or resource, and second, through the compounding effects as a result of the coming together of two or more effects.

As part of the Screening for an Appropriate Assessment, in addition to the proposed works, other relevant projects and plans in the region must also be considered at this stage. This step aims to identify at this early stage any possible significant in-combination or cumulative effects / impacts of the proposed development with other such plans and projects on the Natura 2000 sites.

A review of the Cork County Council Planning webpage revealed that there have been 45 other applications in Ballycotton, 21 in Shanagarry and six in Garryvoe Lower townland in the past three years to date.

The majority of applications refer to the retention or extension of existing developments. A number of applications refer to the construction of dwelling houses which will require approved EPA wastewater treatment systems.

One application refers to development in the marine environment; Planning Ref: 11/5410 refers to the installation of a floating pontoon, access gangway, fixed platform, steel guide columns and associated
infrastructure at Ballycotton Pier. AA Screening was carried out by Moore Group and determined that there would be no significant impacts on the adjacent SPA.

There are no other developments that would have in-combination effects.

Any new applications for the project area will be assessed on a case by case basis by Cork County Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

**Table 3.** Outlining the potential impacts in the absence of mitigation of the Project.

<table>
<thead>
<tr>
<th>Site</th>
<th>Distance from Project</th>
<th>Potential Direct Impacts e.g. Habitat Loss</th>
<th>Potential Indirect Impacts e.g. alteration to hydrological regime</th>
<th>Surface or Groundwater Contamination</th>
<th>Disturbance to Protected Species (Habitats Directive Annex II &amp; IV)</th>
<th>Stage 2 AA Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ballycotton Bay SPA 004022</td>
<td>Adjacent</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

### 6. Screening Statement

The proposed cable route is located outside the SPA designated area and there would be no direct impacts on the SPA.

Potential indirect impact can be avoided by carrying out the proposed works during the summer months. This would be a prerequisite of the project in any case given the requirement for calm sea condition while laying the cable.

The conclusion of this Screening Report is that there would be no significant impacts on the Qualifying interests or Conservation Objectives of the Natura 2000 sites considered in this assessment if the works are carried out during the summer months May to August.

A finding of no significant effects report is presented in Appendix A in accordance with the EU Commission’s methodological guidance (European Commission, 2001).
7. References


Appendix A
FINDING OF NO SIGNIFICANT EFFECTS REPORT

Finding no significant effects report matrix

Name of project or plan
Installation of two fibre optic cables from an offshore location through the intertidal foreshore and linking to a terrestrial connection at Ballycotton Bay, Co. Cork.

Name and location of the Natura 2000 site(s)
The project site is located adjacent to the Ballycotton Bay SPA (Site Code 004022).

Description of the project or plan
The cable to be laid in the intertidal area will be comprised of fibre optic cable protected in a steel casing.

The operation will centre on a narrow section of foreshore off the coast of Garryvoe, in Ballycotton Bay.

Prior to the date of the cable landing it is anticipated that the BMH will have been constructed and installed at the eastern side and north of the access to the beach.

Seaward ducts from BMH will be pre-installed to a concrete foot located at a suitable location on the beach access road, it will be buried to a minimum 2 m below surface. The seaward ducts will normally be heavy density PVC pipe 4”-6” in diameter, and will be backfilled prior to commencing cable landing operation. Divers will be deployed from a dive boat to swim the proposed route checking that the seabed route is clear of any obstructions.

On the day of the cable landing operations excavators, cable winch, rigging will be moved on site. The Beach Landing party will have deployed 1 or 2 Qudrants on the beach to assist in guiding the cable along the designated installation pathway to the BMH and the seaward end of the duct will be exposed.

The Main lay vessel will be ready in position at first light and will transfer a messenger line to the small boat, the boat will either tow the cable in or pull the messenger rope in to the beach party.

The messenger line will be connected to excavator doing beach pulls (if not using a large winch). When connected beach pull starts and vessel crew will add floats to the cable as it is deployed from the vessel. When sufficient cable is on the beach cable will be secured, on the beach, the floating cable will be adjusted to suit route and then the divers will start to remove the cable floats and cable will sink to the seabed.

When the cable is on seabed, the divers will inspect the cable and may do some minor slack adjustment where possible/required.

The cable end will be pulled into the pre installed duct at the BMH and checked/tested. Once the test has been successfully tested the ship will commence laying the cable to the south.

The cable across the beach will have articulated pipe installed to the Low Water Mark (possibly further if required).
After the articulated pipe has been installed, a trench will be dug at the side of the cable and the cable will be lowered into the trench. This will continue towards the low water line, the cable may be hand jetted (using water pressure) to lower the cable to 1m or best endeavours below the seabed.

As soon as the cable has been installed in the trench the trench will be backfilled, and the beach will be restored to the original profile. All equipment will be removed from the site.

It is expected that the sand will have resorted to a natural state after one tidal cycle. The intertidal cable laying works will take one day to complete. The works will be carried out during the summer months in order to avoid any disturbance to the birds that over-winter in the adjacent SPA.

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**Is the project or plan directly connected with or necessary to the management of the site(s)**

No

**Are there other projects or plans that together with the projects or plan being assessed could affect the site**

A review of the Cork County Council Planning webpage revealed that there have been 45 other applications in Ballycotton, 21 in Shanagarry and six in Garryvoe Lower townland in the past three years to date.

The majority of applications refer to the retention or extension of existing developments. A number of applications refer to the construction of dwelling houses which will require approved EPA wastewater treatment systems.

One application refers to development in the marine environment; Planning Ref: 11/5410 refers to the installation of a floating pontoon, access gangway, fixed platform, steel guide columns and associated infrastructure at Ballycotton Pier. AA Screening was carried out by Moore Group and determined that there would be no significant impacts on the adjacent SPA.

There are no other developments that would have in-combination effects.

Any new applications for the project area will be assessed on a case by case basis by Cork County Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

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**The assessment of significance of effects**

**Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.**

The proposed cable route is located outside the SPA designated area and there would be no direct impacts on the SPA. Having established this, the assessment emphasis is placed on potential indirect and cumulative impacts.

A worst case scenario would occur whereby the project would result in a significant impact on wintering bird species either alone or in combination with other projects or plans as a result of disturbance.
Explain why these effects are not considered significant.

Indirect impacts can be avoided by carrying out the proposed works during the summer months. This would be a prerequisite of the project in any case given the requirement for calm sea condition while laying the cable.

The intertidal works would be confined to a narrow area on the foreshore and it is expected to be completed in one day. The disturbed area will have resorted to a natural state after one tidal cycle and will have reverted to a natural state by the following winter period.

List of agencies consulted: provide contact name and telephone or e-mail address

The requirement for Appropriate Assessment Screening was determined in pre-planning consultation between the project proponent and Cork County Council.

Response to consultation

N/a.

Data collected to carry out the assessment

Who carried out the assessment

Moore Group Environmental Services.

Sources of data

NPWS database of designated sites at www.npws.ie
National Biodiversity Data Centre database http://maps.biodiversityireland.ie

Level of assessment completed

Desktop Assessment.

Where can the full results of the assessment be accessed and viewed

Cork County Council Planning Section.

Overall Conclusions

The proposed cable route is located outside the SPA designated area and there would be no direct impacts on the SPA.
Potential indirect impact can be avoided by carrying out the proposed works during the summer months. This would be a prerequisite of the project in any case given the requirement for calm sea condition while laying the cable.

The conclusion of this Screening Report is that there would be no significant impacts on the Qualifying interests or Conservation Objectives of the Natura 2000 sites considered in this assessment if the works are carried out during the summer months May to September.