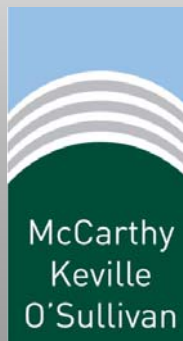




# MORRISON'S ISLAND PUBLIC REALM AND FLOOD DEFENCE PROJECT

## ENVIRONMENTAL IMPACT ASSESSMENT – SCREENING REPORT

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## 1 INTRODUCTION

### 1.1 INTRODUCTION

This Environmental Impact Assessment (EIA) - Screening Report has been prepared by Ryan Hanley in association with McCarthy Keville O'Sullivan Ltd. on behalf of Cork City Council.

Cork City Council (CCC) propose to construct a public realm improvement scheme with integrated flood defence measures along Morrison's Island, Cork City.

As the project will incorporate flood defence works, the project will be jointly-funded by the Office of Public Works (OPW), as the lead agency for flood risk management in Ireland.

Ryan Hanley in association with McCarthy Keville O'Sullivan Ltd. were appointed as Planning and Environmental Consultants on this project and commissioned to prepare an EIA Screening Report. The purpose of this report is to determine whether or not an EIA is required for project listed in Annex II of the EIA Directive (Annex II Projects) and transposed into Irish Planning Law in Schedule 5 of the Planning and Development Regulations 2001.

The findings of the EIA Screening assessment undertaken are presented in this report.

## 2 DESCRIPTION OF THE PROPOSED DEVELOPMENT

The design of the proposed Morrison's Island Public Realm and Flood Defence Project incorporating integrated flood defences has evolved over time, with the flood defence element of the project having been put through an initial screening process of a range of potential engineering measures typically considered for flood alleviation schemes, the development of potential options and finally the development of an emerging preferred works design. The proposed design measures carry out public realm improvements while also alleviating flooding in the area.

The scheme proposes to enhance the public realm along Fr. Mathew Quay and Morrison's Quay, creating a more pedestrian friendly space, and incorporating open plaza spaces at Parnell Plaza and Trinity Bridge, as well as incorporating flood defence works. The proposed work involves raising the existing ground levels and providing an effective continuous flood defence along the left (north) bank of the South Channel of the River Lee at Morrison's Island. The required flood defence levels have been established as an output of the Lower Lee Flood Relief Scheme (which has built on the Lee Catchment Flood Risk Assessment and Management Study (CFRAMS)). The defence level corresponds to the modelled 1:200-year combined event (tidal region), and 1:100-year flow (fluvial zone) taking account of climate change modelling and freeboard.

The key features for the proposed Morrison's Island scheme will broadly comprise the following:

- Targeted detailed site investigations
- Flood defence works
- Alteration of the area layout for traffic and pedestrians
- Landscaping works
- Regrading works
- Drainage works, including the construction of pumping stations
- Diversion of services and utilities

The proposed development has been carefully considered, avoiding unnecessary disturbance and making use of the existing public road corridor. The construction method and mitigation measures have been designed to ensure that the potential for significant environmental impacts has been either reduced to a low risk or eliminated.

The public realm improvement works are required to improve the visual and recreational amenity of the area around Father Mathew Quay and Morrison's Quay, and to allow the area be developed as a desirable area of Cork City. In addition, flood alleviation works are required to provide an improved standard of protection to residents and businesses in the Morrison's Island area of Cork City against flooding. This will also reduce the financial pressure and stresses that flood risk places on individuals and companies. The Morrison's Island flood defences are an essential part of the overall flood relief scheme for the Lower Lee, and will provide flood protection to approximately 2,100 properties.

### 3 EIA SCREENING PROCESS

#### 3.1 EIA SCREENING METHODOLOGY

This EIA Screening Report has been prepared to document the appraisal as to whether the proposed Morrisons Island Public Realm and Flood Defence Project would be likely to have significant effects on the environment. The information used to inform this report includes desk studies and site assessments.

In addition, the following legislation and guidance documentation has been used:

- Department of the Environment, Heritage and Local Government (August 2003), Environmental Impact Assessment (EIA) Guidelines for Consent Authorities regarding Sub-threshold Development;
- Director General Environment – European Commission (June 2001), Guidance on EIA Screening;
- Environmental Protection Agency (March 2002), Guidelines on the Information to be Contained in Environmental Impact Statements;
- Environmental Protection Agency (Draft - September 2015) Revised Guidelines on the Information to be contained in Environmental Impact Statements;
- European Commission (2015) Interpretation of definitions of project categories of Annex I and II of the EIA Directive;
- Department of the Environment Community and Local Government (2013) Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment;
- Planning and Development Regulations 2001 – 2015;
- EIA (Amendment) Directive 2014/52/EU;
- European Commission (2017) Environmental Impact Assessment of Projects. Guidance on Screening.

EIA is required in one of three circumstances:

- a) The proposed development is of a class specified in Part 1 of Schedule 5 of the Planning and Development Regulations, 2001 (as amended) and exceeds any specified relevant quantity area or other limit specified; or
- b) The proposed development is of a class specified in Part 2 of Schedule 5 of the Planning and Development Regulations, 2001 (as amended) and exceeds any specified relevant quantity, area or other limit as specified; or
- c) The proposed development is of a class specified in Part 2 of Schedule 5 of the Planning and Development Regulations, 2001 (as amended), does not exceed the relevant quantity area or other limit, but having conducted a screening it is determined that the proposed development would nevertheless be likely to

have significant effects on the environment as determined by reference to criteria specified in Schedule 7 of the Planning and Development Regulations, 2001 (as amended).

### 3.2 LEGISLATIVE CONTEXT

The *EIA Directive 2011/92/EU on the assessment of the effect of certain public and private projects on the environment* (codification), as amended by *EIA Directive 2014/52/EU*, sets out the process by which the likely significant effects of a project on the environment are assessed. The relevant requirements of the EIA Directive have been implemented into Irish law pursuant to the provisions of, inter alia, the Planning and Development Regulations 2001, as amended.

The provisions of Schedule 5 of the EIA Regulations 2001 - 2015 identify the requirement of EIA for different project types.

Part 1 of Schedule 5 identifies projects of a class that will always have the potential for significant environmental effects and therefore will always require an EIA. Part 2 of Schedule 5 identifies projects that may have an environmental impact and, therefore, thresholds or criteria have been set by member states for the requirements of EIA.

The EIA Amendment Directive states that in order to ensure a high level of protection of the environment and human health, screening procedures should take account of the impact of the whole project in question, including where relevant, its subsurface and underground, during the construction, operational and where relevant demolition phase. When determining whether significant effects on the environment are likely to be caused by a project, the competent authorities should identify the most relevant criteria to be considered and should take into account information that could be available following other assessments required by Union legislation in order to apply the screening procedure effectively and transparently. In this regard, it is appropriate to specify the content of the screening determination, in particular where no environmental impact assessment is required.

The screening procedure should ensure that an environmental impact assessment is only required for projects likely to have significant effects on the environment.

Annex III of the EIA Directive provides the Criteria used to determine whether the project listed in Annex II should be subject to an Environmental Impact Assessment. Annex III of the EIA Directive and has been replaced by a new Annex III in the 2014 Amendment Directive. (See Appendix I of this report).

## 4 REQUIREMENTS FOR EIA IN PUBLIC REALM AND FLOOD RELATED PROJECTS

In respect of public realm and flood related projects, Schedule 5, Part 1 and Part 2 of Planning and Development Regulations 2001, as amended, requires that the competent authority should carry out an EIA in respect of the following relevant projects:

**Table 4.1: Screening Matrix for EIA**

Mandatory Threshold	Statutory Reference	Screening conclusion
Canalisation and flood relief works, where the immediate contributing sub-catchment of the proposed works (i.e. the difference between the contributing catchment at the upper and lower extent of the works) would exceed 100 hectares or where more than 2 hectares of wetland would be	<i>P&amp;D Regs 2001, as amended</i> <i>Schedule 5 Part 2, Section 10(f)(ii)</i>	The area of contributing catchment has been defined as approximately 62.7Ha and is therefore subthreshold for EIA. The project extends for 553m and therefore is subthreshold for EIA with regard to length of affected river channel.

Mandatory Threshold	Statutory Reference	Screening conclusion
affected or where the length of river channel on which works are proposed would be greater than 2 kilometres		
Any project listed in this Part (Part 2) which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Annex III of the Directive.	<i>P&amp;D Regs 2001, as amended Schedule 5, Part 2, Section 15</i>	The proposed project falls under the category of flood relief works listed in Schedule 5, Part 2 of the Regulations and should be screened with regard the criteria set out in Annex III to determine the need, if any, for EIA.

#### 4.1 EIA SCREENING

Annex III of the EIA Amendment Directive outlines the criteria to determine whether the projects listed in Annex II should be subject to an Environmental Impact Assessment.

**Table 4.2 EC Guidelines Screening checklist**

Questions to be considered	Yes / No? Briefly Describe	Is this likely to result in a significant impact? Yes / No? - Why?
Brief Project Description	<p>Public realm improvements and flood defence. Covers the quay walls for approximately 550m of their length at Morrisons Island.</p> <p>The works will consist of the following:</p> <ul style="list-style-type: none"> <li>• Change in traffic flow, changes to parking layout;</li> <li>• Pedestrianisation of Morrison's Quay (Lower) and provision of an enhanced plaza area at eastern end of Morrison's Quay; paved pedestrian riverside walkway;</li> <li>• Ground levels along quays will be re-graded to ensure that the solid element of the parapets will be no higher than knee height (600mm) above the new walkway level;</li> <li>• Undertake remedial works to the existing quay walls. Cleaning, repointing and grouting along with construction of a reinforced concrete backing wall is proposed for flood protection;</li> <li>• Upgraded drainage system and pumping stations to manage surface water discharge during high tides.</li> </ul> <p>Other ancillary works such as the diversion and sealing of utility services etc.</p>	
1. Will construction, operation, decommissioning or demolition works of the Project involve actions that will cause physical changes in the locality (topography, land use, changes in waterbodies, etc.)?	Yes, public realm improvements, improved amenity use, pedestrianisation. Changes to ground levels and quay walls for flood protection.	Yes, positive impact in reduced flooding and improved public realm use.

2. Will construction or the operation of the Project use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or are in short supply?	Yes. Natural resources including stone, building materials etc are required.	No, not in short supply.
3. Will the Project involve the use, storage, transport, handling or production of substances or materials which could be harmful to human health, to the environment or raise concerns about actual or perceived risks to human health?	Yes, some substances will be used during construction and road surfacing, e.g. bitumen, concrete, diesel, oils etc.	No, appropriate procedures for use and storage will minimise potential for impact.
4. Will the Project produce solid wastes during construction or operation or decommissioning?	Yes, will be produced, a waste management plan will be implemented	No
5. Will the Project release pollutants or any hazardous, toxic or noxious substances to air or lead to exceeding Ambient Air Quality standards in Directives 2008/50/EC and 2004/107/EC)?	No, some dust produced during construction. Dust minimisation plan will be implemented.	No
6. Will the Project cause noise and vibration or the releasing of light, heat energy or electromagnetic radiation?	Noise disturbance and vibration disturbance during construction.	No, not significant. Minimisation measures and monitoring will be required. Temporary only.
7. Will the Project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	Yes, Potential for runoff of materials into the River Lee,	No, not significant. Mitigation required for containment of runoff and instream pollution control measures, impact is not anticipated to be significant. Impact is temporary only
8. Will there be any risk of accidents during construction or operation of the Project that could affect human health or the environment?	No, no construction procedures are considered high risk with regard to environmental incidents or accidents.	No
9. Will the Project result in environmentally related social changes, for example, in demography, traditional lifestyles, employment?	No significant changes to demography and lifestyle overall, positive impact on use of public realm. Encourages sustainable transport, with provision of pedestrian and cyclist facilities.	No
10. Are there any other factors that should be considered such as consequential development which could lead to environmental impacts or the potential for cumulative	The enhancement of the public realm will not result in consequential development of changes in land use within the study area. The proposed Lower Lee (Cork City) Drainage Scheme will result in flood protection	No

impacts with other existing or planned activities in the locality?	measures thought greater city area. However, there is no cumulative impact with this project and this project is independent to the greater flood scheme.	
11. Is the project located within or close to any areas which are protected under international, EU, or national or local legislation for their ecological, landscape, cultural or other value, which could be affected by the Project?	There are no European Sites (SAC, SPA at risk from the proposed development).	No
12. Are there any other areas on or around the location that are important or sensitive for reasons of their ecology e.g. wetlands, watercourses or other waterbodies, the coastal zone, mountains, forests or woodlands, that could be affected by the Project?	The River Lee adjoins the works. However the river ecology is not particularly sensitive in this area. There is no other significant areas for reasons ecology in proximity to the project	No, Pollution control measures will ensure the protection of water course including the River Lee. Construction phase impacts are temporary in nature.
13. Are there any areas on or around the location that are used by protected, important or sensitive species of fauna or flora e.g. for breeding, nesting, foraging, resting, overwintering, migration, which could be affected by the Project?	There is some potential for use of the river by otters, however no breeding or resting otters are likely in the area. There is some potential for nesting birds such as dipper and wagtail at the bridges. No potential for operational impacts	No. mitigation will apply and surveys will be carried out to ensure that no protected birds or mammals are using the area for breeding prior to construction.
14. Are there any inland, coastal, marine or underground waters (or features of the marine environment) on or around the location that could be affected by the Project?	No	No
15. Are there any areas or features of high landscape or scenic value on or around the location which could be affected by the Project?	Yes, the Urban city landscape which includes protected views and features as identified in the City Development Plan.	No, the design has ensure sensitive consideration of the surrounding landscape and its relationship with the River Lee.
16. Are there any routes or facilities on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the Project?	Yes, access to church and college of commerce. All access will be maintained for the duration of construction	No, access will be maintained to public facilities during construction and post construction
17. Are there any transport routes on or around the location that are susceptible to congestion or which cause environmental problems, which could be affected by the Project?	No, transportation improvements will be made as a result of the project. No significant arterial road networks within the works area.	No

18. Is the Project in a location in which it is likely to be highly visible to many people?	Yes, public realm project. Overall positive impact	No significant negative impact. Positive impact on the visual aspect of the site by reductions in traffic and remedial works to the quay walls.
19. Are there any areas or features of historic or cultural importance on or around the location that could be affected by the Project?	Yes, quay walls and associated fenders, protected buildings and structures nearby but not directly impacted.	No, remedial works to the quay walls result in improvement due to their poor condition. There will be no direct impact on protected features or on their setting. RPS 270 Parliament Bridge, slight indirect impact. Monitoring required..
20. Is the Project located in a previously undeveloped area where there will be loss of greenfield land?	No	No
21. Are there existing land uses within or around the location e.g. homes, gardens, other private property, industry, commerce, recreation, public open space, community facilities, agriculture, forestry, tourism, mining or quarrying that could be affected by the Project?	Public access to facilities will be maintained during construction and enhanced once operational.	No
22. Are there any plans for future land uses within or around the location that could be affected by the Project?	No	No
23. Are there areas within or around the location which are densely populated or built-up, that could be affected by the Project?	No	No
24. Are there any areas within or around the location which are occupied by sensitive land uses e.g. hospitals, schools, places of worship, community facilities, that could be affected by the Project?	Yes, college of commerce and church.	No, access will be maintained to all facilities during construction and operations.
25. Are there any areas within or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, that could be affected by the Project?	No.	No.



26. Are there any areas within or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, that could be affected by the Project?	No.	No
27. Is the Project location susceptible to earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions e.g. temperature inversions, fogs, severe winds, which could cause the Project to present environmental problems?	Yes, subject area is susceptible to flooding. Flood protection included in the project scheme	No.

#### 4.0 CONCLUSIONS

This screening report has been carried out in accordance with a methodology that is based on Environmental Impact Assessment (EIA), Guidance for Consent Authorities regarding Sub-threshold Development (EPA, 2003) and The European Commission Environmental Impact Assessment of Projects. Guidance on Screening (2017). The proposed Morrisons Island Public Realm Project does not comprise a class of project specified in either Part 1 or Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, and therefore an EIA is not required.

It is therefore concluded that there is no requirement for the Planning Authority to conduct an EIA in respect of the project which comprises the Morrison's Island Pubic Realm and Flood Defence Project and there is no requirement on Cork City to either prepare or submit an EIA Report in relation to this project.