

Passage West Pedestrian and Cycle Route

Environmental Impact Assessment Screening Report

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TABLE OF CONTENTS

1	Introduction & Background to Project	1
2	Description of the Proposed Scheme	1
2.1	Current Scheme	1
2.2	Proposed Scheme	1
3	Requirement for EIA	2
3.1	EIA Legislation	2
3.2	EIA Screening Methodology	3
3.3	EIA Screening – Consideration of Requirement for Mandatory EIA.....	4
3.4	EIA Screening Checklist.....	4
4	Conclusion	11
5	APPENDIX A - 2014 AMENDMENT DIRECTIVE - ANNEX III	12
6	APPENDIX B – Flood Risk Assessment	15
7	APPENDIX C – Archaeological Impact Assessment	16

1 INTRODUCTION & BACKGROUND TO PROJECT

Ryan Hanley was commissioned by Cork County Council to prepare an Environmental Impact Assessment (EIA) Screening Report for the proposed upgrade works for the Passage West Pedestrian and Cycle Route Project.

The purpose of this report is to determine whether or not an EIA is required for the project based on criteria listed in Annex I and II of the EIA Directive and transposed into Irish Planning Law in Schedule 5, Part 1 and 2 of the Planning and Development Regulations 2001.

The findings of the EIA screening undertaken by Ryan Hanley are presented in this report, as amended.

2 DESCRIPTION OF THE PROPOSED SCHEME

2.1 CURRENT SCHEME

There is an existing Greenway which is c.8.9km long, from Harty's Quay to Passage West, which runs through Cork City into Cork County. The pathway throughout Cork City has already been upgraded, over 7kms from the Marina near Pairc Ui Chaoimh to Passage West in Cork Harbour along the route of the old Cork, Blackrock and Passage Railway line. The existing pathway included in the proposed works is 2km long and 2-2.5m wide.

2.2 PROPOSED SCHEME

The scope of works along this route would include upgrading an existing 2km long and 2-2.5m wide Pedestrian and Cycle Route between the Cork City/ Cork County boundary and Mariner's Quay to an approximate 4m wide pedestrian and cycle path with new public lighting. The upgrade of this existing route would include but not be limited to,

- Construction/Extension of pedestrian and cycleway bridges;
- Signage (map boards, tourist information, road signage, and so on) and public lighting, where required;
- Construction of cycle parking facilities, including cycle stands and benches;
- New utilities or alternative routing of existing utilities; and
- Ancillary works.



Figure 2.1 Passage West Pedestrian and Cycle Route Upgrade works Locality Map.

3 REQUIREMENT FOR EIA

3.1 EIA LEGISLATION

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 - 2021 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, it’s subsurface and underground, during the construction, operational and where relevant demolition phase.”

Further:

“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 A of this report).

3.2 EIA SCREENING METHODOLOGY

This EIA Screening Report has been prepared to document the appraisal as to whether the proposed upgrade works to the Pedestrian and Cycle Route, in Passage West 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;
- Department of Housing, Planning and Local Government (2018) Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment;
- Environmental Protection Agency (EPA) - *Guidelines on the Information to be contained in Environmental Impact Assessment Reports* (EPA 2022);
- Planning and Development Regulations 2001 – 2021;
- European commission (2015) Interpretation of definition of project categories of Annex I and II of the EIA Directive;
- EIA (Amendment) Directive 2014/52/EU, and;
- 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).

3.3 EIA SCREENING – CONSIDERATION OF REQUIREMENT FOR MANDATORY EIA

In respect of public and private 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 certain plans or projects. Part 1 lists projects which are likely to have a significant environmental effect and thus require a mandatory EIA. Part 2 lists projects whereby the competent authority decides if an EIA is required.

The upgrades works at Passage West Pedestrian and Cycle Route does not fall under the projects listed in Part 1 or Part 2 of Planning and Development Regulations 2001, as amended. As such a mandatory EIA is not required. EIA screening criteria as listed in Schedule 7 of Planning and Development Regulations 2001 will be utilised to assess if this project falls within the requirement for an EIA. For the purposes of screening sub-threshold development for EIA, all of the relevant information as presented within Planning and Development Regulations 2021 (Schedule 7A) has been provided. The potential for the project to pose a significant impact to the receiving environment will also be evaluated in accordance with criteria listed in the Planning & Development Regulations, 2001, as amended (2001-2021).

3.4 EIA SCREENING CHECKLIST

Annex III of the EIA Amendment Directive (transposed into Irish law through Schedule 7 of Planning and Development Regulations 2001) outlines the criteria to determine whether the projects listed in Annex II (Part 2 of Planning and Development Regulations 2001) should be subject to an EIA.

In consideration of Screening for EIA, cumulative impacts of existing and proposed developments are included in the assessment. The criteria and the likelihood of significant impact is outlined in Table 3.1 below.

Table 3.1 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	The project sets out to upgrade an existing 2km long and 2-2.5m wide Pedestrian and Cycle Route from the Passage West car park to Patrick Murphy Park to a 4m wide pedestrian and cycle path with new public lighting.	
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. Upgrading the Passage West Pedestrian and Cycle Route will involve physical changes to the land in the expansion of the pathway from 2-2.5m to approximately 4m wide. Operational phase – will not lead to any further physical changes to that established during the construction phase.	No. Works will be minor in scale and will predominantly take place within the footprint of an existing pathway/adjacent green lands. Expansion of the pathway will result in a small footprint on the land adjacent and will be not result in a significant physical change.

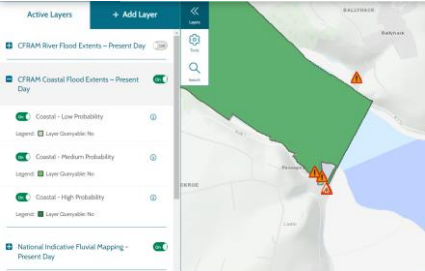
Questions to be considered	Yes / No? Briefly Describe	Is this likely to result in a significant impact? Yes / No? - Why?
<p>2. Will construction or the operation of the Project use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or are in short supply?</p>	<p>Yes. Natural resources including building materials and energy, etc. are required during the construction phase.</p>	<p>No. Required volumes are not significant and resources are available locally are not in short supply.</p>
<p>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?</p>	<p>Yes. Some substances, which may be deemed harmful, will be used during construction e.g. concrete, diesel, oils, etc.</p>	<p>No. Appropriate procedures for use and storage will be specified (through a Construction Environmental Management Plan - CEMP) at construction stage which will minimise risks to human health, environment, etc</p>
<p>4. Will the Project produce solid wastes during construction or operation or decommissioning?</p>	<p>Yes. Excavated ground and general building wastes will be produced during construction and a waste management plan will be implemented.</p>	<p>No. Waste volumes are not considered significant. A Waste Management plan will be implemented. Excavated ground during the installation of new infrastructure will be reused and re-cycled where possible.</p>
<p>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)?</p>	<p>No. It is likely that some dust will be generated during construction. Dust minimisation measures will be implemented through the CEMP.</p>	<p>No. Impact on air quality not though significant and not to exceed Air Quality Standards. Mitigation measures during construction will be outlined in CEMP.</p>

Questions to be considered	Yes / No? Briefly Describe	Is this likely to result in a significant impact? Yes / No? - Why?
6. Will the Project cause noise and vibration or the releasing of light, heat energy or electromagnetic radiation?	Yes. There will be some temporary noise and vibration disturbance during the construction phase. New lighting is proposed and will be active during operational stage.	No. Noise and vibration minimisation & monitoring measures will be specified in the CEMP. Construction noise will be temporary only. New lighting will be assessed in relation to the most up to date guidelines taking account of wildlife, habitats and the surrounding environment.
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 risk of runoff of materials (i.e. silt, hydrocarbons) into nearby coastal watercourse (Lough Mahon) during construction.	No. Impact will be assessed and mitigated in a Natura Impact Statement (NIS). Mitigation measures will be stipulated through CEMP, method statements, design containment and pollution control during construction stage.
8. Will there be any risk of accidents during construction or operation of the Project that could affect human health or the environment?	Yes. Potential risk of accidents with regard to human health/environment during construction on site. Risk assessment is detailed within the Preliminary Health & Safety plan as well as in the CEMP.	No. No high-risk activities planned during construction. Appropriate Health and Safety plan and Construction Environmental Management Plan (CEMP) in place to minimise risk.
9. Will the Project result in environmentally related social changes, for example, in demography, traditional lifestyles, employment?	No. The proposed project is being designed to improve the operation at the existing Pedestrian and Cycle Route.	No. This project will not result in any environmental changes.
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 impacts with other existing or planned activities in the locality?	No. All future plans for development of the area are identified within the Cork County Development Plan. The proposed project will also be screened against any potential cumulative developments (projects and plans) within the area and will be assessed in detail in the Natura Impact Statement.	No. All future plans for development of the area are identified within the Cork County Development Plan and any developments would likely require associated environmental screening reports.

Questions to be considered	Yes / No? Briefly Describe	Is this likely to result in a significant impact? Yes / No? - Why?
<p>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?</p>	<p>Yes. European sites (SACs and SPAs) were assessed during an Appropriate Assessment (AA) screening and sites present within the Zone of Influence of the works are the Cork harbour SPA (004030) and the Great Island Channel SAC (001508).</p> <p>Cork Harbour SPA is located directly adjacent to the proposed works, while the Great Island Channel is located c.900m NE of the proposed works. It was concluded in the AA Screening that in accordance with Article 6(3) of the Habitats Directive, the proposed upgrade works at Passage West, Co. Cork will have significant effects on the Cork Harbour SPA and Stage 2 of the Appropriate Assessment process (Natura Impact Statement) is required.</p> <p>In relation to NHAs and pNHAs, the proposed works are directly adjacent to the Douglas River Estuary pNHA. Glenmire Woods pNHA, Dunkettle Shore pNHA, Rockfarm Quarry, Little Island pNHA, Great Island Channel pNHA, Cuskinny Marsh pNHA and Monkstown Creek pNHA are all within 5km of the proposed works.</p>	<p>No. Cork Harbour SPA has been screened in through the AA Screening process and the impact will be assessed and mitigated in Natura Impact Statement (NIS).</p> <p>Nearby pNHAs will also be assessed and any impact will be mitigated in the NIS.</p>
<p>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?</p>	<p>Yes. Transitional waterbody Lough Mahon is located directly adjacent to the proposed works. Ramsar site Cork Harbour is also located adjacent to the proposed works, its National legal designation is 'Wildfowl sanctuary – Douglas Estuary' and Regional (international) legal designation is 'EU Natura 2000'.</p>	<p>No. Impacts to the waterbodies will be assessed and mitigated in the Natura Impact Statement. Construction mitigation measures will be stipulated through the CEMP.</p>

Questions to be considered	Yes / No? Briefly Describe	Is this likely to result in a significant impact? Yes / No? - Why?
<p>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?</p>	<p>Yes. The Cork Harbour SPA is located directly adjacent to the proposed works. Cork Harbour is an internationally important wetland site, regularly supporting in excess of 20,000 wintering waterfowl. Cork Harbour also has a nationally important breeding colony of Common Tern. The site provides both feeding and roosting sites for the various bird species that use it.</p>	<p>No. Pollution control measures will be put in place to protect the local environment from any potential effects (inc; accidental) arising from the temporary works in the NIS and CEMP. Seasonal restrictions will be put in place, if required, to ensure that no species will be affected during construction.</p>
<p>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?</p>	<p>Yes. Transitional waterbody Lough Mahon is located directly adjacent to the proposed works.</p>	<p>No. The upgrade works will be minor, localised and short-term in nature. Impacts from the works will be mitigated in the NIS and CEMP.</p>
<p>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?</p>	<p>Yes. Passage West lies within the landscape type 'City Harbour & Estuary', an area of very high landscape value, very high sensitivity and an area of national importance.</p>	<p>No. The proposed works are upgrade works to an existing cycle path & walkway. The design has minimum impact on the visuals of and on the surrounding environment as the proposed development within an existing pathway.</p>
<p>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?</p>	<p>Yes. The existing pathway, which is used for recreational activities, will need to be closed off while the upgrade works take place.</p>	<p>No. Access will be maintained through traffic & pedestrian management plans and relevant mitigation measures. The proposed works will be relatively minor and temporary.</p>
<p>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?</p>	<p>Yes. A regional road (R610) Cork Road and Cork Street are susceptible to congestion due to the different commercial and residential properties buildings accessing these roads.</p>	<p>No. A traffic management plan will be put in place and stakeholders and local residents will be communicated with prior to and during the proposed works.</p>

Questions to be considered	Yes / No? Briefly Describe	Is this likely to result in a significant impact? Yes / No? - Why?
18. Is the Project in a location in which it is likely to be highly visible to many people?	No. Woodland and treelines can be found between the proposed works and any residential or commercial buildings.	No. There will be no significant negative impact in terms of visual impact as a result of the temporary works and the proposed development will be contained within an existing pathway.
19. Are there any areas or features of historic or cultural importance on or around the location that could be affected by the Project?	<i>This EIA Screening will be updated once the Archaeological Impact Assessment has been completed.</i>	<i>This EIA Screening will be updated once the Archaeological Impact Assessment has been completed. See Appendix C.</i>
20. Is the Project located in a previously undeveloped area where there will be loss of greenfield land?	No. The proposed works will predominantly be localised to an existing pathway and improved grassland/grassy verges.	No. The footprint of the works is minor and predominantly exists with the existing pathway.
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?	Yes. The proposed works are localised to an existing cycle lane and pathway, which is used for recreational activities and tourism.	No. The footprint of the works will be confined to the existing pathway – Access and temporary diversions will be maintained through traffic management plans and mitigation measures.
22. Are there any plans for future land uses within or around the location that could be affected by the Project?	No. There is an existing pathway within the footprint area of the proposed upgrade works.	No. There will be no impact from the project and no known future developments in the area. The works are local, small scale and short in duration.
23. Are there areas within or around the location which are densely populated or built-up, that could be affected by the Project?	Yes. The proposed upgrade works are located in the port town of Passage West, which is densely populated / built up.	No. The works are located at a sufficient distance from any residential properties (the closest residential property is located c.15m SW of the proposed works) and is divided by woodland and treelines and main road.

Questions to be considered	Yes / No? Briefly Describe	Is this likely to result in a significant impact? Yes / No? - Why?
<p>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?</p>	<p>No. The proposed upgrade works are localised to an existing pathway and is visually divided from the urban areas by woodland and treelines.</p>	<p>No. Local access will be maintained on all roadways nearby. A traffic management plan will be put in place and stakeholders, commercial entities, educational institutions and the local community will be engaged with.</p>
<p>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?</p>	<p>No. The proposed upgrade works are located within an existing cycle lane and pathway, which does have a recreational tourism use.</p>	<p>No. Works will be short-term in nature with the aim of upgrading the existing pathway to create more capacity to allow for an increase in recreational and tourism numbers.</p>
<p>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?</p>	<p>No. A Waste Water Treatment Plant (Carrigrennan) is located c.1.1km north, across Lough Mahon, from the proposed works. There are no licenced waste or manufacturing facilities identified in Passage West.</p>	<p>No. This project will not contribute to or cause pollution or environmental damage. Appropriate mitigation measures for the construction works will be detailed in the CEMP and any potential impacts will be mitigated through the NIS.</p>
<p>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?</p>	<p>Yes. Past and recurring flooding has been reported within Passage West. Flooding source is coastal/estuarine waters. Past Flood Event Local Area Summary Report for Passage West can be found here: Past-Flood-Summary-Report (floodinfo.ie)</p> 	<p>No. The project location is within an area of recurring flooding. The project area is not susceptible to earthquakes, subsidence, landslides, erosion or extreme or adverse climatic conditions which could cause the Project to present environmental problems. A Flood Risk Assessment will be carried out and will be implemented throughout the project. This EIA Screening will be updated to include the Flood Risk Assessment. See Appendix B.</p>

4 CONCLUSION

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 Guidelines on EIA Screening (2017).

Based on Schedule 5 of the Planning and Development Regulations 2001 – 2021 proposed upgrade works at Passage West, Co. Cork do not exceed any of the thresholds prescribed in the Regulations that would trigger a mandatory requirement to conduct an EIA and prepare an EIAR. In consideration of sub-threshold projects (Schedule 5, Part 2, Section 15), the proposed project is not listed in Part 2 of the Regulations and therefore does not fall under the EIA requirement for sub-threshold projects.

Having regard for the proposed works this report concludes that this proposal is not one which is likely to have significant effects on the environment, either by itself or in combination with other plans or projects, and that an EIA and subsequent EIAR is not required in relation to this project.

It is noted within this report that an AA screening has been carried out (under the Habitats Directive (92/43/EEC)), which concluded that a full AA and Natura Impact Statement (NIS) is recommended for the project as it is deemed that The Cork Harbour SPA may be significantly adversely affected by the proposed works. The requirement for AA does not automatically mean that an EIA is the necessary form of assessment and it is noted that two separate legislative processes are under consideration (Habitats Directive and the EIA Directive).

The Construction Environmental Management Plan (CEMP) will outline the various construction practices and environmental management measures which will be implemented during the construction phase in order to ensure that the project is constructed in accordance with best practice and have minimum impact on the surrounding environment.

It is therefore concluded that there is no requirement for the Planning Authority to request an EIA in respect of this project and there is no requirement on Irish Water to prepare and submit an EIAR in relation to this project. However, ultimately it is the responsibility of the relevant planning authority to make a determination to whether an EIAR is required for a particular project, based on the findings of the screening assessment.

APPENDIX A - 2014 AMENDMENT DIRECTIVE - ANNEX III

DIRECTIVE 2014/52/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 16 APRIL 2014 AMENDING DIRECTIVE 2011/92/EU ON THE ASSESSMENT OF THE EFFECTS OF CERTAIN PUBLIC AND PRIVATE PROJECTS ON THE ENVIRONMENT

Annex III

Selection criteria referred to in article 4(3) (criteria to determine whether the projects listed in annex II should be subject to an environmental impact assessment)

1. Characteristics of projects

The characteristics of projects must be considered, with particular regard to:

- (A) the size and design of the whole project;
- (B) cumulation with other existing and/or approved projects;
- (C) the use of natural resources, in particular land, soil, water and biodiversity;
- (D) the production of waste;
- (E) pollution and nuisances;
- (F) the risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge;
- (G) the risks to human health (for example due to water contamination or air pollution).

2. Location of projects

The environmental sensitivity of geographical areas likely to be affected by projects must be considered, with particular regard to:

- (A) the existing and approved land use;
- (B) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
- (C) the absorption capacity of the natural environment, paying particular attention to the following areas:
 - (i) wetlands, riparian areas, river mouths;
 - (ii) coastal zones and the marine environment;
 - (iii) mountain and forest areas;
 - (iv) nature reserves and parks;
 - (v) areas classified or protected under national legislation; natura 2000 areas designated by member states pursuant to directive 92/43/eec and directive 2009/147/ec;
 - (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in union legislation and relevant to the project, or in which it is considered that there is such a failure;
 - (vii) densely populated areas;
 - (viii) landscapes and sites of historical, cultural or archaeological significance.

3. Type and characteristics of the potential impact

The likely significant effects of projects on the environment must be considered in relation to criteria set out in points 1 and 2 of this annex, with regard to the impact of the project on the factors specified in article 3(1), taking into account:

- (A) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (B) the nature of the impact;
- (C) the transboundary nature of the impact;
- (D) the intensity and complexity of the impact;
- (E) the probability of the impact;
- (F) the expected onset, duration, frequency and reversibility of the impact;
- (G) the cumulation of the impact with the impact of other existing and/or approved projects;
- (H) the possibility of effectively reducing the impact.

APPENDIX B – FLOOD RISK ASSESSMENT

APPENDIX C – ARCHAEOLOGICAL IMPACT ASSESSMENT

