

**In the matter of Article 6(3) of the Habitats Directive and
S.I. No. 477/2011 - European Communities (Birds and Natural Habitats) Regulations 2011**

**Appropriate Assessment Determination
Dublin Region Air Quality Plan 2021**

In accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, the Dublin local authorities (Dublin City Council, Fingal County Council, South Dublin County Council and Dún Laoghaire-Rathdown County Council) have undertaken Appropriate Assessment screening to assess, in view of best scientific knowledge and the conservation objectives of the European Sites, if the Dublin Region Air Quality Plan, individually or in combination with other plans or projects, is likely to have a significant effect on a European Site(s).

In order to comply with the requirements of Article 6(3) of the Habitats Directive and S.I. No. 477/2011 - European Communities (Birds and Natural Habitats) Regulations 2011, as amended, the process of Screening for Appropriate Assessment was undertaken at an early stage in the drafting of the Dublin Region Air Quality Plan. The AA Screening assessed whether the plan was likely to have significant effects on any European Sites within the Natura 2000 network, either alone or in combination with other plans and projects.

As required under Regulation 42(7) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, the Dublin Local Authorities made a determination, following screening that an Appropriate Assessment is not required. The examination of the plan has found that the plan will have the potential to contribute to the conservation management of European Sites within and surrounding the plan area and will thus have positive implications for the conservation objectives of these European Sites. The following provides the reasoning for this determination:

European Sites and their associated qualifying features and associated conservation objectives are likely to be compromised by the plan, only where the actions of the plan have the potential to result in land-use activities that could result in damage or disturbance to qualifying habitat, qualifying species and or special conservation interests and the processes that they rely upon to maintain their favourable conservation status. The Plan will not result in the implementation of land use activities that will have the potential to result in negative impacts on European Sites and their conservation objectives. On the contrary, the overall aim and the measures of the plan have been identified as having the potential to result in positive implications for the environment and air quality, in particular and neutral to positive implications for European Sites and their conservation status.

The implementation of the Dublin Region Air Quality Plan will have the potential to enhance the air quality of the four local authorities. The measures outlined in the Dublin Region Air Quality Plan that aim to effectively tackle the NO_x emissions, will also have the potential to contribute to the conservation management of the other European Sites that occur within the wider area surrounding the Dublin Region. The implementation of these measures will also ensure that a deleterious trajectory in air quality in the Dublin Region is avoided. This in turn will contribute to the conservation status of European Sites and particularly any qualifying interests of European Sites that are sensitive to poor air quality and nitrogen deposition, such as the dune habitats of the North Dublin Bay SAC and the sensitive bryophyte communities they support, which includes the Annex 2 qualifying species Petalwort and the petrifying spring habitats and their associated indicator bryophyte communities of the Glenasmole Valley SAC and Knocksink Wood SAC in the south of the region.

The Dublin local authorities, having carefully considered all of the foregoing, and in particular, the Appropriate Assessment Conclusion Statement and agrees with and adopts the reasoning and conclusion as set out in the said Appropriate Assessment Conclusion Statement.

The Council's hereby **DETERMINE** pursuant to of Article 6(3) of the Habitats Directive and S.I. No. 477/2011 - European Communities (Birds and Natural Habitats) Regulations 2011, that the adoption and publication of the Dublin Region Air Quality Plan, will not either individually or in combination with any other plan or project, adversely affect the integrity of any European Site(s) as defined.

REASONS FOR DETERMINATION

The reasons for the said determination are set out in the Appropriate Assessment Conclusion Statement, the reasoning and conclusions of which have been adopted in full by the Dublin Region Local Authorities. The said Appropriate Assessment Conclusion Statement is to be published together with this Determination.

Signatories:

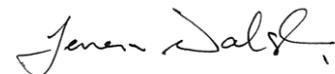
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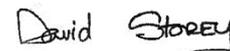
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