

Chapter 1

Introduction

1.1 General

This Environmental Impact Statement (EIS) is for the proposed N9 / N10 Kilcullen to Waterford Scheme; Kilcullen to Powerstown (hereinafter referred to as the proposed N9 Kilcullen to Powerstown Scheme). It relates only to the N9 Kilcullen to Powerstown Scheme, which is the northern section of the larger N9 / N10 Kilcullen to Waterford Scheme.

The EIS has been prepared on behalf of Kildare County Council National Roads Design Office by Roughan & O'Donovan – FaberMaunsell Alliance Consulting Engineers with contributions from various specialist sub-consultants.

For presentation purposes, this Environmental Impact Statement is set out in two volumes as follows:

Volume 1

Non - Technical Summary

Part I “Background Information and General Description”

There are five chapters to this part of the document.

- Chapter 1: Introduction
- Chapter 2: Background to the Project
- Chapter 3: Description of Proposed Scheme
- Chapter 4: Alternative Routes Considered
- Chapter 5: Traffic Modelling, Traffic Impacts and Economic Analysis

Part II “Significant Environmental Effects and Proposed Ameliorative Measures”

This part of the document sets out the likely significant environmental effects of the scheme under the headings:

- Chapter 6: Human Beings
- Chapter 7: The Natural Environment
- Chapter 8: Landscape
- Chapter 9: Material Assets
- Chapter 10: Architectural, Archaeological and Cultural Heritage
- Chapter 11: Construction Phase
- Chapter 12: Interrelationships
- Chapter 13: Mitigation Measures

Volume 2: Maps & Figures (A3 size)

Due to the scale of the scheme, the proposed N9 Kilcullen to Powerstown Scheme has been divided into four sections for ease of reporting. These sections are sections A to D and have been chosen on geographic grounds by junction location. The sections are as follows:

Section A	Kilcullen – Mullamast	Ch. 78,500 to Ch. 62,000
Section B	Mullamast – Prumplestown	Ch. 62,000 to Ch. 50,000

Section C	Prumplestown – Powerstown	Ch. 50,000 to Ch. 32,300
Section D	Athy to R747 Link Road	

The location of the scheme and the layout of the road sections are shown in Figures 1.1 to 1.6 (Volume 2).

This document has been produced using up to date documents published before June 2003.

1.2 Purpose of the Scheme

The purpose of the proposed scheme is to provide a high quality dual carriageway road for the transport of people and goods, in safety and comfort, in accordance with national and local objectives to meet the aspirations of the National Development Plan 2000 to 2006. It is especially required to overcome the inadequacies of the existing road network in facilitating long distance interurban travel, as well as the journeys of traffic generated locally.

1.2.1 National Context

In July 1998 the National Roads Authority (NRA) published its National Road Needs Study, which recommended that improvements should be made to both the N9 and N10 between Waterford and Kilcullen, basically to provide a standard two lane single carriageway. Bypasses were required for Mullinavat, Knocktopher / Ballyhale, Thomastown, Paulstown, Carlow, Castledermot and Moone / Timolin. The National Road Needs Study represented only one input into the current National Development Plan 2000 to 2006 (NDP) and was thus superseded by the NDP.

The NDP gives due consideration to broader policy issues including regional and industrial development. The NDP noted that rapid economic growth during the 1990's had put even greater strain on the nations inadequate road infrastructure and that serious congestion was a feature of parts of the network. The Plan concluded that if this congestion was not addressed promptly the competitiveness of the economy would be impaired with adverse consequences for growth and employment. It was in this context that Government policy for the improvement of national roads as set out in the NDP adopted standards equivalent to an average inter-urban speed of 94 kph on dual carriageway and 105 kph on motorways. In addition the NDP has the objective of providing a uniform carriageway type either to motorway or high quality dual carriageway standard, or a combination of both, on the five identified Major Inter Urban routes. Furthermore, the NDP requires that the route selection be undertaken "for substantial sections of the routes rather than focusing solely on the delivery of bypasses of congested centres of population". The combination of these objectives resulted in the removal of the single carriageway links specified for sections of the inter-urban routes in the Road Needs Study and their replacement with dual carriageway type links. This provides a greater degree of safety than the single carriageway links and satisfies the higher standards as specified in the NDP. In addition it facilitates shorter (and safer) journey times and greater driver comfort.

The National Development Plan required further evaluation of the road type and route between Dublin and Waterford. This assessment was completed by the NRA and published in February 2000. This assessment looked at three corridor options for the route, broadly along the existing N9, an East Coast Route (via Arklow,

Enniscorthy and New Ross) and the 'Durrow Route' (departing the N8 at Durrow, continuing southwards to Waterford via Kilkenny). It was concluded that the central N9 corridor was preferred and that the scheme should be a dual carriageway / motorway road in its entirety in accordance with the NDP requirements.

The proposed N9 Kilcullen to Powerstown Scheme is also in line with the National Spatial Strategy (NSS), which has the development and enhancement of a strategic radial corridor between Dublin and Waterford as a particular objective.

1.2.2 Local Context

In addition to the National Context, the scheme also addresses local objectives, which include:

- Improve the N9 route and thereby reduce travel times
- Provide bypasses of Carlow and Castledermot;
- Provide a safer route and thus reduce accidents;
- Remove long distance traffic from local roads;
- Improve competitiveness and increase economic prosperity by improving access to Dublin, Kilkenny and Waterford cities as well as Carlow Town;
- Improve the environment of the area.

1.3 Legal Requirements

1.3.1 Legislative Requirements for an Environmental Impact Statement

The Roads Act, 1993, together with the Roads (Amendment) Act 1998 and the Roads Regulations, 1994 (S.I. No. 119 of 1994) give effect to the E.C. Directive 85/337/EC of 27 June 1985 "on the assessment of the effects of certain public and private projects on the environment". A further E.C. Environmental Directive 97/11/EC was incorporated in amending regulations and published as Section 14 of the European Communities (Environmental Impact Assessment) (Amendment) Regulations 1999 (SI No. 93 of 1999). With respect to road developments, Section 50 of the Roads Act, 1993 sets out provisions for the preparation of an Environmental Impact Statement (EIS) by a Road Authority.

A summary of the relevant provisions of the Roads Act, 1993, as amended by the Roads (Amendment) Act 1998 and SI No. 93 of 1999, in relation to Environmental Impact Statements for a public road development is set out below. (As only an abbreviated selection is presented here, the reader is advised to consult the Acts and the Statutory Instruments for the full text).

Environmental Impact Statement (EIS) Section 50 (1) (a) of the Roads Act, 1993 states:

"A road authority shall prepare a statement of the likely effects on the environment (hereinafter referred to as an "environmental impact statement") of any proposed road development consisting of:

- (i.) the construction of a motorway,*
- (ii.) the construction of a bus way,*
- (iii.) any prescribed type of proposed road development consisting of the construction of a proposed public road or the improvement of an existing public road."*

The prescribed type of proposed road development as defined in S.I. No.119 of 1994, paragraph 8, is defined for the purpose of subsection (1) (a) (iii) of section 50 of the Act as follows:

- “(a) the construction of a new road of four or more lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, realigned or widened road would be eight kilometres or more in length in a rural area, or 500 metres or more in length in an urban area;”*
- “(b) the construction of a new bridge or tunnel which would be 100 metres or more in length.”*

Environmental Impact Statement (EIS) Section 50(1)(c) of the Roads Act 1993 states:

- “(c) Where a road authority considers that any proposed road development (other than development to which paragraph (a) applies) consisting of the construction of a proposed public road would be likely to have significant effects on the environment, it shall inform the Minister in writing and where the Minister concurs with the road authority he shall give a direction to the road authority under paragraph (b).”*

In accordance with the above clauses, an EIS is required on the proposed N9 Kilcullen to Powerstown Scheme on two separate counts: It will involve the construction of 4 or more lanes for a length of more than 8 kilometres, and thus there is a requirement for an EIS, in accordance with the Regulations; also the proposed bridge (Structure A10) carrying the existing N9 across the proposed dual carriageway road at Usk Little Overbridge in the townland of Kilgowan is longer than 100 metres and the bridge structure is prescribed under clause 1(b) as requiring an EIS.

1.3.2 EIS Contents

Statutory Instrument SI No. 93 of 1999 sets out the various headings, to be considered in the EIS as follows:

- “(2) An environmental impact statement shall contain the following specified information:*
 - (a) a description of the proposed road development comprising information on the site, design and size of the proposed road development:*
 - (b) a description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects:*
 - (c) the data required to identify and assess the main effects which the proposed road development is likely to have on the environment:*
 - (d) an outline of the main alternatives studied by the road authority concerned and an indication of the main reasons for its choice, taking into account the environmental effects:*
 - (e) a summary in non-technical language of the above information.*
- (3) An environmental impact statement shall, in addition to and by way of explanation or amplification of the specified information referred to in subsection (2) contain further information on the following matters:*
 - (a) (i) a description of the physical characteristics of the whole proposed road development and the land-use requirements during the construction and operational phases:*
 - (ii) an estimate, by type and quantity, of expected residues and emissions (including water, air and soil pollution, noise, vibration,*

- light, heat and radiation) resulting from the operation of the proposed road development:*
- (b) *a description of the aspects of the environment likely to be significantly affected by the proposed road development, including in particular:*
- *human beings, fauna and flora*
 - *soil, water, air, climatic factors and the landscape,*
 - *material assets, including the architectural and archaeological heritage, and the cultural heritage.*
 - *the inter-relationship between the above factors:*
- (c) *a description of the likely significant effects (including direct, indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative) of the proposed road development on the environment resulting from:*
- *the existence of the proposed road development.*
 - *the use of natural resources .*
 - *the emission of pollutants, the creation of nuisances and the elimination of waste.*
- and a description of the forecasting methods used to assess the effects on the environment:*
- (d) *an indication of any difficulties (technical deficiencies or lack of know-how) encountered by the road authority concerned in compiling the required information:*
- (e) *a summary in non-technical language of the above information:”*
to the extent that such information is relevant to a given stage of the consent procedure and to the specific characteristics of the proposed road development or type of proposed road development concerned, and of the environmental features likely to be affected, and the road authority preparing the environmental impact statement may reasonably be required to compile such information having regard, inter alia, to current knowledge and methods of assessment.”

1.4 Public Consultation

Section 51 of the Roads Act, 1993, and Section 215 of the Planning and Development Act 2000 requires that public notice should be issued stating:

- (i) that such application has been made to An Bord Pleanála for approval;
- (ii) that an environmental statement has been prepared in respect of the proposed road scheme;
- (iii) that copies of the statement be available for inspection for a specified period not less than one month;
- (iv) that copies are available for sale at a cost not exceeding the reasonable cost of making a copy;
- (v) that submissions may be made in writing to An Bord Pleanála in relation to the likely effects on the environment of the proposed road development before a specified date (which shall be not less than two weeks after the end of the period for inspection).
- (vi) A copy of this statement is being provided to the prescribed bodies as required by Section 50 (3) of the Roads Act 1993.

In addition to the statutory consultations, non-statutory consultations were held at various stages during the development of the scheme. Three separate Non-Statutory Public Consultations were held:

- Public Consultation No. 1: This involved a “cut out” comment sheet which was published in several of the local newspapers within the study area in March 2001.
- Public Consultation No. 2: Public exhibitions were held in a number of venues throughout the study area in May 2001, displaying the various route corridor options under consideration. A further consultation period was allowed with the exhibition displays on show until the end of August 2001.
- Public Consultation No. 3: The Preferred Route Corridor Consultation was held in October 2001 with the aim of presenting the Preferred Route Corridor including the Athy to R747 Link Road to the public.

The Non-Statutory Consultations are further discussed in Chapter 4.

1.5 Difficulties Encountered

During the preliminary design development of the N9 Kilcullen to Powerstown Scheme some difficulties were encountered which delayed the scheme by preventing and / or disrupting the fieldwork and baseline studies. The main difficulties were with regard to land access due initially to the Foot and Mouth Protocol and later the Irish Farmers Association (IFA) dispute with the NRA, both in 2001. On the resolution of these issues permission to access was still being refused to certain lands, which was not resolved until 2003.