

SEA Effectiveness Review in Ireland

ACTION PLAN 2012–2016



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Comhshaol, Pobal agus Rialtas Áitiúil
Environment, Community and Local Government



Department of
**Agriculture,
Food and the Marine**
An Roinn
**Talmhaíochta,
Bia agus Mara**



An Roinn
Ealaíon, Oidhreacht agus na Gaeltachta
Department of
Arts, Heritage and the Gaeltacht



Roinn Cumarsáide, Fuinnimh agus Acmhainní Nádúrtha
Department of Communications, Energy and Natural Resources



Environmental Protection Agency
An Ghníomhaireacht um Ghnámhús Comhshaoil

Environmental Protection Agency

The Environmental Protection Agency (EPA) is a statutory body responsible for protecting the environment in Ireland. We regulate and police activities that might otherwise cause pollution. We ensure there is solid information on environmental trends so that necessary actions are taken. Our priorities are protecting the Irish environment and ensuring that development is sustainable.

The EPA is an independent public body established in July 1993 under the Environmental Protection Agency Act, 1992. Its sponsor in Government is the Department of the Environment, Community and Local Government.

OUR RESPONSIBILITIES

LICENSING

We license the following to ensure that their emissions do not endanger human health or harm the environment:

- waste facilities (e.g., landfills, incinerators, waste transfer stations);
- large scale industrial activities (e.g., pharmaceutical manufacturing, cement manufacturing, power plants);
- intensive agriculture;
- the contained use and controlled release of Genetically Modified Organisms (GMOs);
- large petrol storage facilities;
- waste water discharges.

NATIONAL ENVIRONMENTAL ENFORCEMENT

- Conducting over 2,000 audits and inspections of EPA licensed facilities every year.
- Overseeing local authorities' environmental protection responsibilities in the areas of – air, noise, waste, waste-water and water quality.

- Working with local authorities and the Gardaí to stamp out illegal waste activity by co-ordinating a national enforcement network, targeting offenders, conducting investigations and overseeing remediation.
- Prosecuting those who flout environmental law and damage the environment as a result of their actions.

MONITORING, ANALYSING AND REPORTING ON THE ENVIRONMENT

- Monitoring air quality and the quality of rivers, lakes, tidal waters and ground waters; measuring water levels and river flows.
- Independent reporting to inform decision making by national and local government.

REGULATING IRELAND'S GREENHOUSE GAS EMISSIONS

- Quantifying Ireland's emissions of greenhouse gases in the context of our Kyoto commitments.
- Implementing the Emissions Trading Directive, involving over 100 companies who are major generators of carbon dioxide in Ireland.

ENVIRONMENTAL RESEARCH AND DEVELOPMENT

- Co-ordinating research on environmental issues (including air and water quality, climate change, biodiversity, environmental technologies).

STRATEGIC ENVIRONMENTAL ASSESSMENT

- Assessing the impact of plans and programmes on the Irish environment (such as waste management and development plans).

ENVIRONMENTAL PLANNING, EDUCATION AND GUIDANCE

- Providing guidance to the public and to industry on various environmental topics (including licence applications, waste prevention and environmental regulations).
- Generating greater environmental awareness (through environmental television programmes and primary and secondary schools' resource packs).

PROACTIVE WASTE MANAGEMENT

- Promoting waste prevention and minimisation projects through the co-ordination of the National Waste Prevention Programme, including input into the implementation of Producer Responsibility Initiatives.
- Enforcing Regulations such as Waste Electrical and Electronic Equipment (WEEE) and Restriction of Hazardous Substances (RoHS) and substances that deplete the ozone layer.
- Developing a National Hazardous Waste Management Plan to prevent and manage hazardous waste.

MANAGEMENT AND STRUCTURE OF THE EPA

The organisation is managed by a full time Board, consisting of a Director General and four Directors.

The work of the EPA is carried out across four offices:

- Office of Climate, Licensing and Resource Use
- Office of Environmental Enforcement
- Office of Environmental Assessment
- Office of Communications and Corporate Services

The EPA is assisted by an Advisory Committee of twelve members who meet several times a year to discuss issues of concern and offer advice to the Board.

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Introduction

The Review of SEA Effectiveness commissioned by the EPA in 2011 considered how SEA has been implemented in Ireland since its introduction in 2004. The Review found that SEA is fulfilling its role and is providing a vital tool for environmental protection in Ireland. In addition, it was found that SEA has ensured that environmental considerations are taken into account in policy development and implementation, and is also raising the profile of environmental issues in decision making at plan level among those sectors applying SEA.

The Review indicated that the implementing legislation in Ireland is broadly appropriate and no significant difficulties have arisen with interpretation to date that would warrant substantial changes. However, while considerable progress has been demonstrated in applying SEA in Ireland since 2004, a number of challenges have been identified which are acting as barriers to ensuring effective implementation across the board. These challenges are similar to those experienced in other EU Member States.

Recommendations and actions were put forward in the Review, ranging from governance through to provision of new guidance in key areas, training and awareness raising and data management.

Under the SEA Regulations (S.I. No's 435/436 of 2004, and amending Regulations S.I. No's 200/201 of 2011), there are five designated statutory environmental authorities for SEA in Ireland. These are the **Department of the Environment, Community and Local Government**, the **Department of Arts, Heritage and the Gaeltacht** – *to be consulted on architectural and archaeological heritage and nature conservation*, the **Department of Agriculture, Food and the Marine** – *to be consulted on fisheries and the marine environment*, the **Department of Communications, Energy and Natural Resources** – *to be consulted on fisheries and the marine environment* and the **Environmental Protection Agency**. The five statutory authorities have in 2012 established a National SEA (Environmental Authority) Technical Forum, in response to the recommendations of the SEA Review.

The statutory environmental authorities have jointly formulated this SEA Review Action Plan for the period 2012–2016 with the overall objectives of prioritising the implementation of the key findings and recommendations of the SEA Review and to improve overall SEA effectiveness in Ireland. The implementation of this Action Plan is dependent on a shared responsibility by the statutory environmental authorities in delivering the key recommendations and this is reflected in the Responsible Authority(ies) column. The progress on implementation of the Action Plan and associated priority actions will be reviewed on an annual basis. The recommendations are set out to reflect the overall priority of the specific recommendation and associated action(s). The reference numbers assigned to the individual Actions reflect the reference numbers associated with the recommendations in the SEA Review. Where more than one Recommendation is covered by a single Action this is indicated in the Recommendation column. The SEA Review Report is published alongside this Action Plan and can be accessed on www.epa.ie.

SEA Review Recommendation	SEA Action Plan – GOVERNANCE AND LEGISLATION	Responsible Authority(ies)	Status	Target Date
D1/D4	<p>Establish a National SEA Environmental Authority Technical Forum comprising members of each of the statutory environmental authorities operating under the following Terms of Reference:</p> <ol style="list-style-type: none"> a. promotion of compliance with the objectives of the SEA Directive and Regulations; b. promotion of best practice in the application of SEA in Ireland; c. engagement as appropriate with key stakeholders on SEA-related matters; d. promotion of integration between SEA and Plan/Programme making and between SEA, Appropriate Assessment and Flood Risk Assessment; e. promotion of the application of consistent SEA processes across the statutory environmental authorities; f. seeking to ensure that: <ul style="list-style-type: none"> ■ SEA focuses on key environmental resources, vulnerabilities and related likely significant environmental effects; ■ SEA process is completed and statutory environmental authorities notified; ■ SEA recommendations and mitigation measures are integrated into Plans/Programme; ■ SEA follow-up including monitoring is undertaken. g. promotion of the review SEA of Statements; and, h. promotion of the review of SEA monitoring reports and related targets. 	DECLG DAHG DAFM DCENR EPA	Forum established 2012 and quarterly meetings convened	2012 & Ongoing
D3	<ol style="list-style-type: none"> a. Issue a Circular Note to clarify the role, key contacts and aspects of responsibility of each SEA environmental authority. b. Issue a Circular Note highlighting requirements of Article 8 of the SEA Directive (on decision making) and associated parts of the SEA Regulations, i.e. “<i>shall be taken into account...</i>”. 	DECLG	To issue	2013

SEA Review Recommendation	SEA Action Plan – GOVERNANCE AND LEGISLATION	Responsible Authority(ies)	Status	Target Date
D5	Develop National SEA KPIs to evaluate SEA Effectiveness.	EPA DECLG DAHG DAFM DCENR	EPA STRIVE SEA Fellowship to commence Quarter 4 2012	2015
D6	Ensure adequate resources are allocated within each statutory environmental authority to sufficiently discharge their statutory SEA/AA-related responsibilities.	DECLG DAHG DAFM DCENR EPA	Ongoing	Ongoing

SEA Review Recommendation	SEA Action Plan – DATA COLLATION, PROVISION AND SHARING	Responsible Authority(ies)	Status	Target Date
C1	<p>Establish a technical work group to explore the potential for a national central SEA Portal with access to relevant data, documents and information This will include access to items such as:</p> <ol style="list-style-type: none"> All SEA Environmental Reports/Plans/Programmes ongoing and completed and associated Appropriate Assessments; Appropriate Assessments completed; Legislation, circulars and guidance; Best practice SEA examples; National set of Environmental objectives, targets and indicators; SEA-related monitoring; Baseline information and data; and, Application of GIS. 	DECLG DAHG EPA DAFM DCENR	To commence	2013– 2016

SEA Review Recommendation	SEA Action Plan – TRAINING AND AWARENESS	Responsible Authority(ies)	Status	Target Date
B1/B2/B3/D4	<p>Promote and support the development of SEA/AA Training Modules</p> <p>Developing targeted SEA and AA training modules on:</p> <ul style="list-style-type: none"> ■ Integration of SEA and AA ■ Assessment of effects 	DECLG DAHG-NPWS DAFM DCENR EPA	To Commence Opportunities to be explored for collaboration with Third Level Institutes and relevant Professional bodies.	2013-2016
B4	Convene a national SEA/AA Conference every 3 years to exchange and promote best practice, with first to be held in 2014.	DECLG DAHG-NPWS DAFM DCENR EPA	To Commence	2014 & Ongoing Every 3 Years
B5/D2	Convene annual Regional SEA/AA Fora for Land Use Plans in association with the Regional Authorities (RAs).	DECLG DAHG-NPWS DAFM DCENR EPA	All Regional Fora convened 2012	2012 & Ongoing Annually

SEA Review Recommendation	SEA Action Plan – GUIDANCE	Responsible Authority(ies)	Status	Target Date
A1	Increase awareness of existing national EU and International SEA/AA and related guidance.	DECLG DAHG-NPWS DAFM DCENR EPA	Ongoing – through publishing on statutory environmental authorities’ websites	2012–2016
A2	Updating existing National SEA Guidelines to reflect current best practice.	DECLG DAHG-NPWS EPA DAFM DCENR	To Commence	2014
A3/A5	Preparation of a series of concise SEA Best Practice Guidance Notes . Specific topics to be considered will include: <ul style="list-style-type: none"> a. Screening/Scoping including role of statutory environmental authorities b. Development and assessment of alternatives/scenarios c. Assessment of Significance Criteria for environmental topics d. SEA Statement preparation e. SEA-related monitoring f. Transboundary SEA/AA g. Tiering of assessments in SEA and AA h. The role of SEA in informing project level EIA 	DECLG DAHG DAFM DCENR EPA	To Commence b. EPA to commission STRIVE research project on Alternatives in SEA for Spatial Plans Q4 2012	2013–2016

SEA Review Recommendation	SEA Action Plan – GUIDANCE	Responsible Authority(ies)	Status	Target Date
A4	Preparing SEA Best Practice Guidance for priority Sectors in association with the relevant sectors initially including: <ol style="list-style-type: none"> Waste Forestry Energy Water related plans. 	DECLG DAHG DAFM DCENR EPA	To Commence	2014–2016
A6	Preparing detailed guidance on Cumulative Effect Assessment/In-Combination Effects Assessment in SEA/AA.	EPA DAHG-NPWS	To Commence	2013

Abbreviations

AA	Appropriate Assessment
DECLG	Department of the Environment, Community and Local Government
DAHG	Department of Arts, Heritage and the Gaeltacht
NPWS	National Parks and Wildlife Service
DAFM	Department of Agriculture, Food and the Marine
DCENR	Department of Communications, Energy and Natural Resources
EPA	Environmental Protection Agency

An Gníomhaireacht um Chaomhnú Comhshaoil

Is í an Gníomhaireacht um Chaomhnú Comhshaoil (EPA) comhlachta reachtúil a chosnaíonn an comhshaoil do mhuintir na tíre go léir. Rialáimid agus déanaimid maoirsiú ar gníomhaíochtaí a d'fhéadfadh truailliú a chruthú murach sin. Cinntimid go bhfuil eolas cruinn ann ar threochtaí comhshaoil ionas go nglactar aon chéim is gá. Is iad na príomhnithe a bhfuilimid gníomhach leo ná comhshaoil na hÉireann a chosaint agus cinntiú go bhfuil forbairt inbhuanaithe.

Is comhlacht poiblí neamhspleách í an Gníomhaireacht um Chaomhnú Comhshaoil (EPA) a bunaíodh i mí Iúil 1993 faoin Acht fán nGníomhaireacht um Chaomhnú Comhshaoil 1992. Ó thaobh an Rialtais, is í an Roinn Comhshaoil, Pobal agus Rialtais Áitiúil.

ÁR bhFREAGRACHTAÍ

CEADÚNÚ

Bíonn ceadúnais á n-eisiúint againn i gcomhair na nithe seo a leanas chun a chinntiú nach mbíonn astuithe uathu ag cur sláinte an phobail ná an comhshaoil i mbaol:

- áiseanna dramhaíola (m.sh., líonadh talún, loisceoirí, stáisiúin aistriúcháin dramhaíola);
- gníomhaíochtaí tionsclaíoch ar scála mór (m.sh., déantúsaíocht cógaisíochta, déantúsaíocht stroighne, stáisiúin chumhachta);
- diantalmhaíocht;
- úsáid faoi shrian agus scaoileadh smachtaithe Orgánach Géinathraithe (GMO);
- mór-áiseanna stórais peitreal;
- scardadh dramhuisce.

FEIDHMIÚ COMHSHAOIL NÁISIÚNTA

- Stiúradh os cionn 2,000 iniúchadh agus cigireacht de áiseanna a fuair ceadúnas ón nGníomhaireacht gach bliain.

- Maoirsiú freagrachtaí cosanta comhshaoil údarás áitiúla thar sé earnáil – aer, fuaim, dramhail, dramhuisce agus caighdeán uisce.
- Obair le húdarás áitiúla agus leis na Gardaí chun stop a chur le gníomhaíocht mhídhleathach dramhaíola trí comhordú a dhéanamh ar líonra forfheidhmithe náisiúnta, díriú isteach ar chiontóirí, stiúradh fiosrúcháin agus maoirsiú leigheas na bhfadhbanna.
- An dlí a chur orthu siúd a bhriseann dlí comhshaoil agus a dhéanann dochar don chomhshaoil mar thoradh ar a ngníomhaíochtaí.

MONATÓIREACHT, ANAILÍS AGUS TUAIRISCIÚ AR AN GCOMHSHAOIL

- Monatóireacht ar chaighdeán aeir agus caighdeáin aibhneacha, locha, uisce taoide agus uisce talaimh; leibhéil agus sruth aibhneacha a thomhas.
- Tuairiscíú neamhspleách chun cabhrú le rialtais náisiúnta agus áitiúla cinntiú a dhéanamh.

RIALÚ ASTUITHE GÁIS CEAPTHA TEASA NA HÉIREANN

- Cainníochtú astuithe gáis ceaptha teasa na hÉireann i gcomhthéacs ár dtiomantas Kyoto.
- Cur i bhfeidhm na Treorach um Thrádáil Astuithe, a bhfuil baint aige le hos cionn 100 cuideachta atá ina mór-ghineadóirí dé-ocsaíd charbóin in Éirinn.

TAIGHDE AGUS FORBAIRT COMHSHAOIL

- Taighde ar shaincheisteanna comhshaoil a chomhordú (cosúil le caighdeán aeir agus uisce, athrú aeráide, bithéagsúlacht, teicneolaíochtaí comhshaoil).

MEASÚNÚ STRAITÉISEACH COMHSHAOIL

- Ag déanamh measúnú ar thionchar pheleananna agus chláracha ar chomhshaoil na hÉireann (cosúil le pleannanna bainistíochta dramhaíola agus forbartha).

PLEANÁIL, OIDEACHAS AGUS TREOIR CHOMHSHAOIL

- Treoir a thabhairt don phobal agus do thionscal ar cheisteanna comhshaoil éagsúla (m.sh., iarratais ar cheadúnais, seachaint dramhaíola agus rialacháin chomhshaoil).
- Eolas níos fearr ar an gcomhshaoil a scaipeadh (trí cláracha teilifíse comhshaoil agus pacáistí acmhainne do bhunscoileanna agus do mheánscoileanna).

BAINISTÍOCHT DRAMHAÍOLA FHORGHNÍOMHACH

- Cur chun cinn seachaint agus laghdú dramhaíola trí chomhordú An Chláir Náisiúnta um Chosc Dramhaíola, lena n-áirítear cur i bhfeidhm na dTionscnamh Freagrachta Táirgeoirí.
- Cur i bhfeidhm Rialachán ar nós na treoracha maidir le Trealamh Leictreach agus Leictreonach Caite agus le Srianadh Substaintí Guaiseacha agus substaintí a dhéanann ídiú ar an gcrios ózóin.
- Plean Náisiúnta Bainistíochta um Dramhaíl Ghuaiseach a fhorbairt chun dramhaíl ghuaiseach a sheachaint agus a bhainistiú.

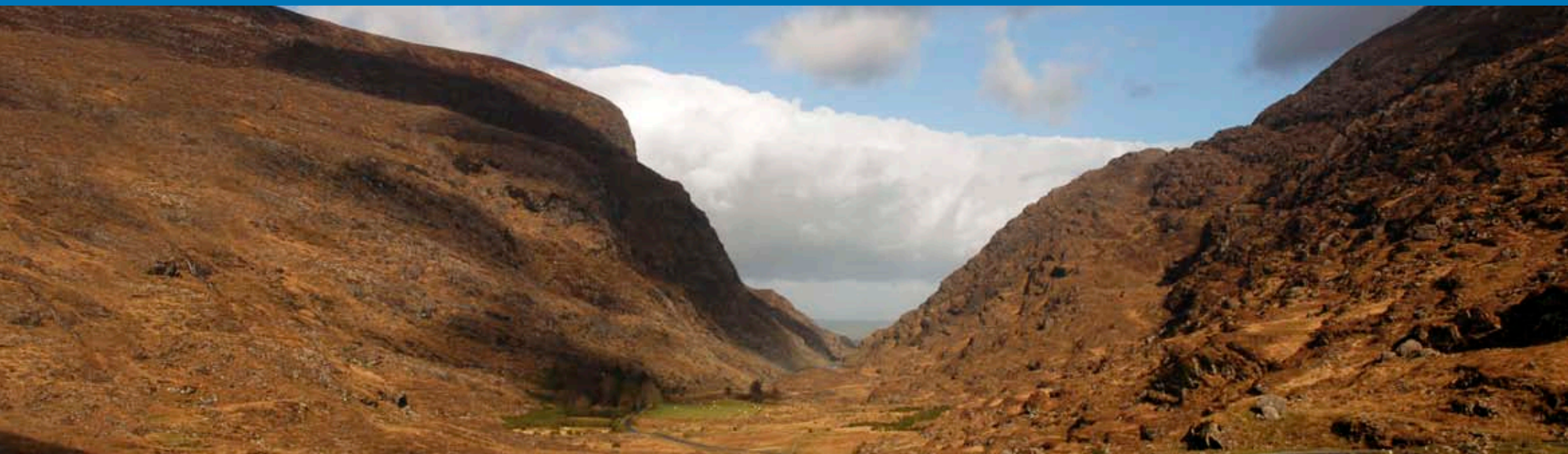
STRUCHTÚR NA GNÍOMHAIREACHTA

Bunaíodh an Gníomhaireacht i 1993 chun comhshaoil na hÉireann a chosaint. Tá an eagraíocht á bhainistiú ag Bord Iánaimeartha, ar a bhfuil Príomhstíúrthóir agus ceithre Stíúrthóir.

Tá obair na Gníomhaireachta ar siúl trí ceithre Oifig:

- An Oifig Aeráide, Ceadúnaithe agus Úsáide Acmhainní
- An Oifig um Fhorfheidhmiúchán Comhshaoil
- An Oifig um Measúnacht Comhshaoil
- An Oifig Cumarsáide agus Seirbhísí Corparáide

Tá Coiste Comhairleach ag an nGníomhaireacht le cabhrú léi. Tá dáréag ball air agus tagann siad le chéile cúpla uair in aghaidh na bliana le plé a dhéanamh ar cheisteanna ar ábhar inní iad agus le comhairle a thabhairt don Bhord.



Front cover windfarm and oil-seed rape images © Cian O'Mahony

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