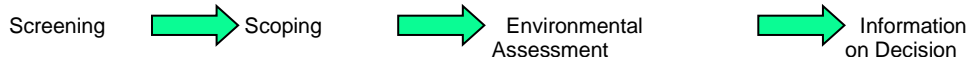




## SEA Process Checklist

### Updated Draft Revision History

Date	Details of Changes
11/09/2017	Updated details of Government Department changes in Ministers' Remits
13/09/2022	Updated Government Department details/ references and links
31/01/2023	Updated resource links and references
07/07/2023	Added recent EPA SEA guidance links



#### Disclaimer:

It is the SEA Directive (2001/42/EC) and SEA Regulations (S.I. 435 & 436 of 2004 and as amended by S.I. 200 & 201 of 2011) that set out the statutory requirements with respect to the environmental assessment of plans and programmes. The purpose of this document is to provide guidance to the plan/programme making authority during the SEA process.

Although every effort has been made to ensure the accuracy of the material contained in this publication, complete accuracy cannot be guaranteed. Neither the Environmental Protection Agency nor the author(s) accept any responsibility whatsoever for loss or damage occasioned or claimed to have been occasioned, in part or in full, as a consequence of any person acting, or refraining from acting, as a result of a matter contained in this publication.

#### Acknowledgements

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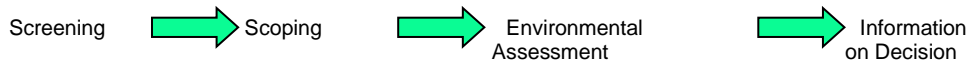
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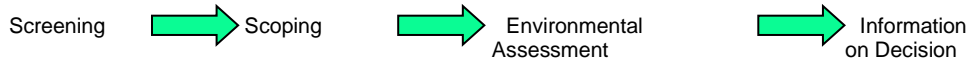
## Abbreviations

<b>DECC</b>	Department of Environment, Climate and Communications
<b>DHLGH</b>	Department of the Housing, Local Government and Heritage
<b>EPA</b>	Environmental Protection Agency
<b>ER</b>	Environmental Report
<b>P/P</b>	Plan or Programme
<b>SEA</b>	Strategic Environmental Assessment

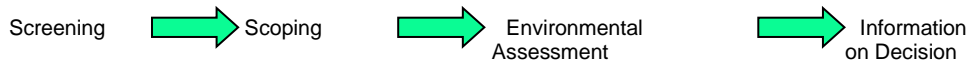


## Glossary

<i>Appropriate Assessment</i>	An assessment of the effects of a plan or project on the Natura 2000 network. The Natura 2000 network comprises Special Protection Areas under the Birds Directive, Special Areas of Conservation under the Habitats Directive and Ramsar sites designated under the Ramsar Convention (collectively referred to as European sites).
<i>Baseline environment:</i>	A description of the present state of the environment of the P/P area.
<i>Birds Directive:</i>	Council Directive of 2nd April 1979 on the conservation of wild birds (79/409/EEC).
<i>Cumulative effects:</i>	Effects on the environment that result from incremental changes caused by the strategic action together with other past, present, and reasonably foreseeable future actions. These effects can result from individually minor but collectively significant actions taking place over time or space.
<i>Data:</i>	Includes environmental data, proxy data, any other relevant statistical data.
<i>Designated authority (Designated environmental authority):</i>	An organisation that must be consulted in accordance with the SEA Regulations. For Ireland these are the Environmental Protection Agency (EPA), the Department of Housing, Local Government and Heritage (DHLGH), the Department of the Environment, Climate and Communications (DECC), and the Department of Agriculture, Food and the Marine.
<i>Environmental Assessment:</i>	The preparation of an environmental report, the carrying out of consultations, the taking into account of the environmental report and the results of the consultations in decision-making and the provision of information on the decision (in accordance with Articles 4 to 9 of the SEA Directive).
<i>Environmental Characteristics:</i>	Environmental resources, issues and trends in the area affected by the P/P.
<i>Environmental indicator:</i>	An environmental indicator is a measure of an environmental variable over time, used to measure achievement of environmental objectives and targets.
<i>Environmental objective:</i>	Environmental objectives are broad, overarching principles which should specify a desired direction of environmental change.
<i>Environmental receptors:</i>	Include biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage (including architectural and archaeological) and landscape as listed in the SEA Directive. This list is not exhaustive, and can include other receptors which may arise for a particular P/P.



<i>Environmental Report (ER):</i>	A document required by the SEA Directive as part of an environmental assessment which identifies, describes and evaluates the likely significant effects on the environment of implementing a plan or programme.
<i>Environmental targets:</i>	A target usually underpins an objective often having a time deadline that should be met and should be accompanied by limits or thresholds.
<i>Evolution of the baseline:</i>	A description of the future state of the baseline in the absence of a plan or programme assuming ‘business as usual’ or ‘do nothing’ scenarios, depending on which is more reasonable for the P/P being proposed.
<i>Habitats Directive:</i>	Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.
<i>Hierarchy of Plans:</i>	Both higher and lower level P/P relevant to the P/P being assessed.
<i>Indirect effect:</i>	Any aspect of a P/P that may have an impact (positive or negative) on the environment, but that is not a direct result of the proposed P/P. May also be referred to as a secondary effect
<i>Interrelationships:</i>	Associations or linkages, related to environmental impact of the proposed P/P usually on environmental receptors.
<i>Issues Paper:</i>	Paper produced as part of the consultation process, usually for Land Use Plans, to facilitate consultation with stakeholders on key issues.
<i>Key environmental issues:</i>	Those significant environmental issues, which are of particular relevance and significance within a P/P area and/or the zone of influence of that P/P. These issues should be identified during SEA Scoping process.
<i>Key environmental receptors:</i>	Aspects of the environment likely to be significantly impacted by the proposed P/P.
<i>Material Assets:</i>	Critical infrastructure essential for the functioning of society such as: electricity generation and distribution, water supply, wastewater treatment transportation etc.
<i>Member States:</i>	Those countries that belong to the European Union.
<i>Mitigation measures:</i>	Measures to avoid/prevent, minimise/reduce, or as fully as possible, offset/compensate for any significant adverse effects on the environment, as a result of implementing a P/P.
<i>Monitoring:</i>	A continuing assessment of environmental conditions at, and surrounding, the plan or programme. This determines if effects occur as predicted or if operations remain within acceptable limits, and if mitigation measures are as effective as predicted. The primary purpose of monitoring is to identify significant environmental effects which arise during the implementation stage against those predicted during the plan preparation stage.

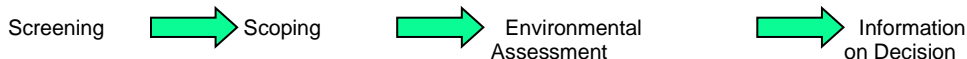


<i>Monitoring Programme:</i>	A detailed description of the monitoring arrangements to be put in place to carry out the monitoring of the impact of the proposed P/P on the environment including; frequency of monitoring, who has responsibility for monitoring, and responses if monitoring identifies significant negative impacts.
<i>Non-technical summary:</i>	A summary of the findings of the ER, summarized under the headings listed in Annex 1 of the SEA Directive that can be readily understood by decision-makers and by the general public. It should accurately reflect the findings of the ER.
<i>Plan or Programme:</i>	<p>Including those co-financed by the European Community, as well as any modifications to them:</p> <ul style="list-style-type: none"> <li>- which are subject to preparation and/or adoption by an authority at national, regional or local level or which are prepared by an authority for adoption, through a legislative procedure by Parliament or Government, and</li> <li>- which are required by legislative, regulatory or administrative provisions.</li> </ul>
<i>Post-mitigation residual impacts:</i>	<p>In accordance with the SEA Directive, P/P that require SEA are those that fulfil the conditions listed in Article 2(a) and Article 3 of the SEA Directive.</p> <p>Environmental effects that remain after mitigation measures have been employed.</p>
<i>Proxy data:</i>	Is a measure of activity resulting from a P/P which provides information on environmental impact without the need for a direct measure of an environmental receptor. For example, an increase in the number of vehicles (activity resulting from a P/P) can provide information on the impact on air quality and greenhouse gases without having to measure the concentration of these parameters in the receiving environmental receptor.
<i>Public:</i>	One or more natural or legal persons and, in accordance with national legislation or practice, their associations, organisations or groups.
<i>Reasonable alternatives:</i>	Alternatives should take into account the objectives and geographical scope of the P/P. There can be different ways of fulfilling the P/P objectives, or of dealing with environmental problems. The alternatives should be realistic, capable of implementation and should fall within the legal and geographical competence of the authority concerned.
<i>Scoping:</i>	The process of deciding the content and level of detail of an SEA, including the key environmental issues, likely significant environmental effects and alternatives which need to be considered, the assessment methods to be employed, and the structure and contents of the Environmental Report.
<i>Screening:</i>	The determination of whether implementation of a P/P would be likely to have significant environmental effects on the environment. The process of deciding whether a P/P requires SEA.



<i>SEA Directive:</i>	Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the environment'.
<i>SEA Statement:</i>	<p>A statement summarising:</p> <ul style="list-style-type: none"> <li>- how environmental considerations have been integrated into the P/P</li> <li>- how the ER, the opinions of the public and designated authorities, and the results of transboundary consultations have been taken into account</li> <li>- the reasons for choosing the P/P as adopted in the light of other reasonable alternatives.</li> </ul>
<i>Secondary effect:</i>	Effects that are not a direct result of the P/P, same as indirect effect.
<i>Short-term effects:</i>	These are typical of those effects that may occur during construction stage of a development, for example, the increased traffic going to and from a site during construction, or, the noise associated with construction activities.
<i>Significant effects:</i>	Effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors.
<i>Statutory authority:</i>	The authority by which or on whose behalf the plan or programme is prepared.
<i>Statutory Instrument:</i>	Any order, regulation, rule, scheme or bye-law made in exercise of a power conferred by statute.
<i>Synergistic effect:</i>	Effects that, when totalled, result in a greater or lesser effect than the sum of the individual effects.
<i>Transboundary Consultation:</i>	If a plan or programme is being prepared that is likely to have significant effects on the environment in another Member State, or where a Member State likely to be significantly affected so requests, the Member State in whose territory the plan or programme is being prepared shall, before the plan or programmes adoption or submission to the legislative procedure, forward a copy of the draft plan or programme and the relevant environmental report to the other Member State.
<i>Zone of Influence:</i>	The area over which a plan can impact on the environment.





## Introduction and Methodology

This Checklist has been prepared with the purpose of ensuring compliance with Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment” (the SEA Directive).

The Checklist is designed to ensure compliance with the broad objective of the Directive set out in Article 1 by promoting full integration of SEA in the Plan / Programme (P/P) making process, and to promote best practice in the application of SEA across the various sectors covered by the scope of the Directive.

### Article 1 –Objectives:

*“The objective of this Directive is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.”*

In addition, it is intended that the Checklist will also facilitate compliance with obligations placed on Member States by Article 12 (2) of the SEA Directive:

### Article 12 Information, reporting and review

#### Article 12(2)

*“Member States shall ensure that environmental reports are of sufficient quality to meet the requirements of this Directive and shall communicate to the Commission any measures they take concerning the quality of these reports”.*

The Checklist is not a mandatory checklist. The intention is that the Checklist will be used as a companion to the Guidance produced by the Department of the Housing, Local Government and Heritage (DHLGH), (*Implementation of SEA Directive 2001/42/EC: Assessment of the Effects of Certain Plans and Programmes on the Environment – Guidelines for Regional Authorities and Planning Authorities*, November 2004, now superseded by the DHLGH *Strategic Environmental Assessment: Guidelines for Regional Assemblies and Planning Authorities*, March 2022) and the Environmental Protection Agency’s (EPA) - SEA Methodology (*ERTDI Report Series No. 18 –Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland Synthesis Report, 2003*).

The checklist was updated in 2022, to update references to sections of the older 2004 guidance, which have now been superseded by the [Strategic Environmental Assessment : Guidelines for Regional and Planning Authorities](#) (DHLGH, 2022), and refer to the relevant sections of these Guidelines instead.

The Checklist is not intended to be used as an end of line evaluation of the SEA process and associated Environmental Report. It is the intention that the Checklist will be used more as a quality assurance/control tool, which will guide SEA Practitioners and P/P makers during the SEA process, in the preparation of the Environmental Report and in integration of the findings of the Strategic Environmental Assessment (SEA) in the P/P.



## Methodology

The SEA Process Checklist devised poses a set of questions, which form a checklist for SEA practitioners and P/P makers. The aims of the checklist are to help SEA practitioners and P/P makers to:

- a) quickly identify if they have met with statutory obligations in undertaking an SEA and in the preparation of an Environmental Report, in accordance with the terms of the SEA Directive and Irish national legislation. This is addressed by a set of questions under the heading Minimum Requirements
- b) provide clear guidance as to how the SEA process and the ER preparation processes can reflect best practice
- c) test by means of a set of additional discretionary tasks which recognise that good SEA practice needs to do far more than meet with minimum statutory requirements. The discretionary tasks are referred to as Additional Recommended Tasks in the checklist.

The minimum requirements in the SEA Process Checklist have been derived directly from the SEA Directive and the relevant national legislation i.e. the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004, S.I. No. 435 of 2004 and the Planning and Development (Strategic Environmental Assessment) Regulations 2004, as amended by S.I. No. 200 of 2004 and S.I. No 436 of 2004, as amended by S.I. No. 201 of 2011. In almost all cases, the exact wording of the directive/national legislation has been used in the checklist in order not to attempt to 'second guess' either. However, in the case of a very small number of the questions posed, the precise wording has not been used but had been subject of minor re-wording. This has been done only when considered necessary for the purpose of clarity. The checklist also refers the user to the relevant corresponding part the SEA Directive. In the case of the requirement for "Appropriate Assessment" the relevant Article of the Habitats Directive is referred to.

In the case of the discretionary tasks, those tasks recommended in guidance on SEA prepared by the Irish Environmental Protection Agency (EPA) (2003) and the Department of Housing, Local Government and Heritage (–then the Environment, Heritage and Local Government) (2004) were included in the checklist. These were supplemented by additional tasks derived from leading SEA research publications, from best practice currently being developed in the field of SEA, and from the Work Group's expertise. The team included a range of expertise in the areas of SEA practice, research and implementation.

For both mandatory and discretionary tasks a negative response to any of the questions posed should provide a prompt to the SEA Practitioner and P/P maker to address the particular task in question. Where appropriate, any actions undertaken to resolve non-compliance should be recorded in comments.

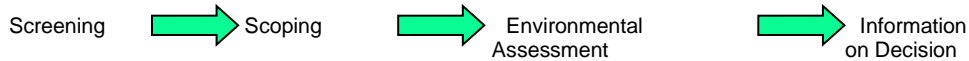
The Checklist was developed and refined in a series of meetings of the multi-disciplinary Work Group during 2007 and 2008. The various Draft versions of the Checklist were subsequently tested on a number of existing Environmental Reports and further refined where appropriate.



It should be noted that the Checklist is a Process Checklist and it is intended the intention is that the Checklist is applied during the SEA Process. This should prompt any activities, required to be undertaken or information, required to be included, respectively, in the SEA Process and associated outputs. The “Checklist” should not be used solely as an end of process Checklist, though it can also serve this purpose.

### **Next Stages**

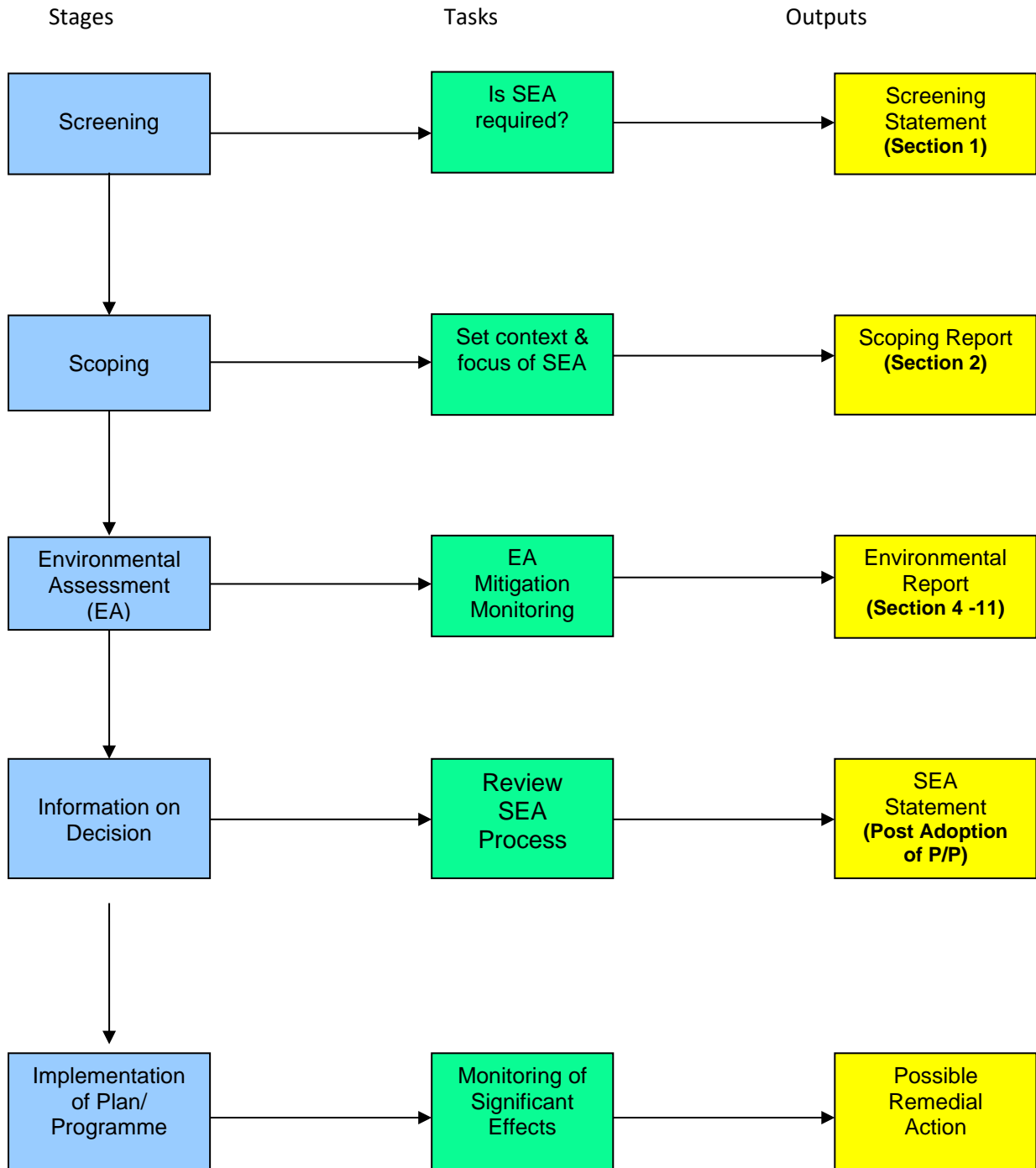
It should be noted that the Checklist will be an active document and will be updated on a regular basis.

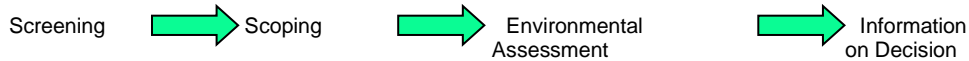


### The SEA Process: Key Stages, Tasks and Outputs

The EPA has published an SEA process flow diagram on our website, available at: <https://www.epa.ie/publications/monitoring--assessment/assessment/strategic-environmental-assessment/sea-process-flow.php>

The key Stages, Tasks and Outputs, which form the basis of the SEA Process and on which this SEA Process Checklist is based, are set out below.





## Section 1 - Screening

### Minimum Requirements

	Question	Yes, No, Comment	Statutory Basis
1.1	In reaching a determination of the requirement for SEA, have the criteria set out in Annex 1 of the SEA Directive and Schedule 2A of S.I. 436 or Schedule 1 of S.I. 435, as amended by S.I. 200 & S.I. 201 of 2011 been taken into account?		SEA Directive Article 3(6)/6(3)  S.I. Nos 435 & 436 of 2004 amended by S.I. Nos: 200 & 201 of 2011
1.2	Has a determination been made, in consultation with the DHLGH, regarding the requirement for an appropriate assessment in accordance with the Habitats Directive?		Habitats Directive Article 6(3)
1.3	Has the relevant competent authority consulted the prescribed environmental authorities as required and notified them of its determination?		SEA Directive Article 3(6)/6(3)  S.I. Nos 435 & 436 of 2004 as amended by SI's 200 & 201 of 2011
1.4	Has the relevant statutory authority made available for public inspection a copy of its determination on the requirement for SEA?		S.I. Nos 435 & 436 of 2004 as amended by SI's 200 & 201 of 2011

### Additional Recommended Task

	Question	Yes, No, Comment	
1.5	Does the screening determination clearly state whether SEA is required or not, who has made the decision and when?		
1.6	If the P/P has been screened out of SEA, does it clearly demonstrate that it does not meet all/most of the criteria of Annex 1 and Schedule 2A of S.I. 436/2004 and Schedule 1 of S.I. 435/2004?		
1.7	(If SEA is required), has a description been provided in the ER of the screening process and subsequent determination?		



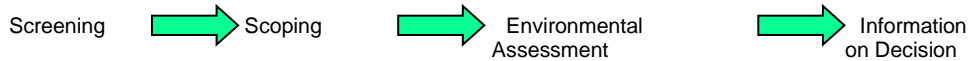
## Section 2- Scoping

### Minimum Requirements

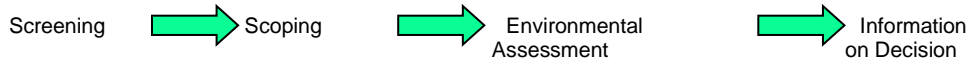
	Question	Yes, No, Comment	Statutory basis
2.1	Were the designated environmental authorities consulted when deciding on the scope of the information to be included in the Environmental Report?		SEA Directive Article 5 (4)  S.I. Nos 435 & 436 of 2004 as amended by SI's 200 & 201 of 2011

### Additional Recommended Tasks

	Question	Yes, No, Comment	
2.2	Does the proposed scope of the report cover all the relevant information in accordance with Annex 1 of the SEA Directive and all of the points in Schedule 2 and Schedule 2B of S.I. 435/2004 and S.I. 436/2004? If not, have reasons for eliminating issues from further consideration been documented?		
2.3	Has informal preliminary scoping taken place with the designated authorities prior to the commencement of the P/P making process?		DHLGH Guidelines S.4
2.4	Have scoping meetings/workshops been held with (a) any of the designated environmental authorities, (b) relevant internal departments within the organisation and (c) other relevant statutory and non-statutory organisations?		
2.5	Where appropriate, if the zone of influence extends beyond the plan boundary, has transboundary notification and consultation been undertaken with other Member States & adjoining authorities on the scope of the SEA?		
2.6	As part of the scoping exercise, have the designated authorities been given an outline of: the geographical area involved (including a referenced and scaled map of the area) the nature of the plan and its intended lifespan the likely scale, nature and location of development within the area during the life of the plan (in broad terms) the predicted significant effects of this development		DHLGH Guidelines S. 4



2.7	Has a Scoping Report been prepared which clearly highlights key environmental resources, zone of influence of the P/P, alternatives, key existing environmental issues/problems and likely significant environmental effects of the P/P?		DHLGH Guidelines S.4
2.8	Does the scoping report reflect the size/level of detail in the P/P?		
2.9	Does the scoping report provide the designated authorities with sufficient information to form a view on the likely significant effects of implementation of the P/P?		
2.10	Has a Scoping Issues Paper (for land use plans) been prepared to facilitate consultation? Have the environmental issues raised in the Issues paper been appropriately addressed in the scoping report?		DHLGH Guidelines S.4
2.11	Have the public and other interested bodies been identified and consulted at the scoping stage?		
2.12	Have the teams responsible for the preparation of the P/P and the ER been involved in the scoping exercise?		EPA Guidelines- Stage 2
2.13	Have the responses to the scoping exercises been included in the Scoping Report?		
2.14	Has the Scoping Report been made public?		
<b>2.15</b>	Where an appropriate assessment is required and will be undertaken in conjunction with the SEA, have any environmental problems, indicators or other issues relevant to the assessment been identified, that need to be considered during the SEA process?		Habitats Directive Article 6  NPWS Appropriate Assessment Guidelines (S.I. 477 of 2011)



### Section 3 – Consultation

#### Consultation with Designated Authorities, Public, and, where applicable, International and National Transboundary Consultations

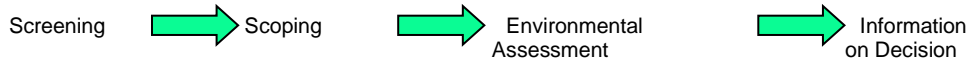
##### Minimum Requirements

	Question	Yes, No, Comment	Statutory Basis
3.1	Have the Draft P/P and accompanying ER been made available to the designated authorities and the public?		SEA Directive Article 6(1)/6(3) S.I. 477 of 2011  S.I. Nos 435 & 436 of 2004 as amended by SI's 200 & 201 of 2011
3.2	Have the designated environmental authorities and the public been given an early and effective opportunity to express their opinion on the draft P/P and the accompanying ER?		SEA Directive Article 6(2)/6(4) S.I. 477 of 2011  S.I. Nos 435 & 436 of 2004 as amended by SI's 200 & 201 of 2011
3.3	Have the ER and the opinions expressed by the designated authorities and the public during consultation been taken into account during the preparation of the P/P?		SEA Directive Article 8  S.I. Nos 435 & 436 of 2004 as amended by SI's 200 & 201 of 2011
3.4	Where relevant, has a copy of the Draft P/P and the ER been forwarded to other Member States before its adoption?		SEA Directive Article 7  S.I. Nos 435 & 436 of 2004 as amended by SI's 200 & 201 of 2011
3.5	Where relevant, have the Member States been given a reasonable time frame to respond to the draft P/P and ER?		
3.6	Have the opinions expressed by other Member States during transboundary consultation been taken into account?		SEA Directive Article 7  S.I. Nos 435 & 436 of 2004 as amended by SI's 200 & 201 of 2011

##### Additional Recommended Tasks

	Question	Yes, No, Comment	
3.8	Has a description of the outcome of all consultations (including transboundary) been documented in the ER?		
3.9	Where a consultation recommendation has not been taken on board, has an explanation been provided of why?		





3.10	Have P/Ps and ERs for counties contiguous to the border with Northern Ireland been subject to transboundary consultation with the relevant Northern Ireland Environmental Authorities?		DHLGH Guidelines S. 6.3
3.11	If the zone of influence of the P/P extends beyond the P/P boundary, have relevant statutory Bodies/Authorities and adjoining Local Authorities been informed and consulted?		DHLGH Guidelines S. 5.2.6 S. 6

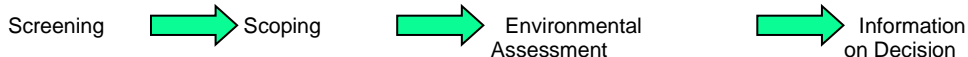
## Section 4 – Plan Description

### Minimum Requirements

	Question	Yes, No, Comment	Statutory Basis
4.1	Has an outline of the contents and the main objectives of the P/P been provided in the ER?		SEA Directive Article 5 Annex I (a)
4.2	Has information been provided on the relationship of the P/P with other relevant P/Ps?		SEA Directive Article 5 Annex I (a)

### Additional Recommended Tasks

	Question	Yes, No, Comment	
4.3	Has a referenced and scaled map illustrating the geographical extend of the P/P area been included in the ER?		
4.4	Have any relevant conflicts and/or synergies between the P/P objectives and the objectives of other P/Ps in the hierarchy (including transboundary) been identified and described?		
4.5	Has the zone of influence of the P/P been described appropriately?		
4.6	Has the potential for transboundary effects of the plan been identified?		



## Section 5 – Existing Environment

### Minimum Requirements

Question		Statutory Basis					
5.1	a) Are the relevant aspects of the current state of the environment described? b) Are any existing environmental problems described (in particular those relating to areas designated pursuant to the Birds and Habitats Directives)? c) Are the environmental characteristics of areas that are likely to be significantly affected by the P/P identified? d) Is the likely evolution of the existing environment without the implementation of the P/P described? e) Have any significant gaps in the baseline data been identified? f) Have alternative/proxy data sources been identified where existing baseline data is unavailable?	SEA Directive Article 5 Annex I (b), (c), (d)					
Environmental Receptor	(a)	(b)	(c)	(d)	(e)	(f)	Comment
Biodiversity, flora and fauna							
Water (surface, ground, estuarine and coastal)							
Soil							
Landscape							
Cultural Heritage (architectural and archaeological heritage)							
Population							
Human Health							
Air							
Climatic Factors							
Material Assets							
Interrelationships							
Other							

Yes: Y & No: N



	Question	Yes, No, Comment	Statutory Basis
5.2	Has a description been included of any difficulties (such as technical deficiencies or lack of know how) encountered in compiling the required information?		SEA Directive Article 5 Annex 1 (h)  S.I. Nos 435 & 436 of 2004

#### Additional Recommended Tasks

	Question	Yes, No, Comment	
5.3	Does the relevant current state of the environment (baseline), as described, reflect: the availability of data? The size and level of detail of the P/P?		
5.4	Have trends for key environmental receptors been presented and described using appropriate environmental data?		
5.5	What sources of environmental data and/or environmental information systems (e.g. GIS) have been used?		
5.6	Have existing environmental problems relevant to the P/P been identified and put into the context of relevant environmental objectives, standards, thresholds etc.?		



## Section 6 – Objectives, Targets and Indicators

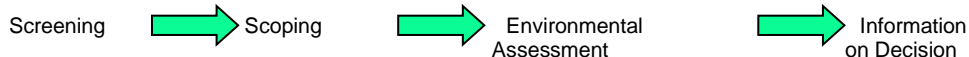
**Note:** See Appendix IV – Objectives, Targets and Indicators explanation

### Minimum Requirements

	Question	Yes, No, Comment	Statutory Basis
6.1	Have any environmental protection objectives, established at International, European Community or Member State level which are relevant to the P/P been identified?		SEA Directive Article 5 Annex 1(e)
6.2	Have these objectives and any environmental considerations been taken into account (placed in context/linked into the P/P) during the preparation of the P/P?		SEA Directive Article 5 Annex 1(e)

### Additional Recommended Tasks

	Question	Yes, No, Comment	
6.4	Are the proposed environmental objectives linked to appropriate targets and indicators?		
6.5	In relation to environmental targets: a) have limits or thresholds been established where appropriate? b) have timescales been set where appropriate?		
6.6	Are the environmental indicators capable of the following:  a) describing trends in the baseline environment? b) demonstrating the likely significant environmental impact(s) of the implementation of the P/P? c) being used in a monitoring programme? d) providing an early warning of significant unforeseen adverse effects? e) prioritising key environmental impact(s)? f) is the number of environmental indicators manageable, in terms of time and resources?		DHLGH Guidelines S.8



6.7	Have the environmental objectives been linked to targets and indicators for those environmental receptors identified as being significantly affected?			
Environmental Receptor	O	T	I	Comment*
Biodiversity, flora and fauna				
Water (surface, ground, estuarine and coastal)				
Soil				
Landscape				
Cultural Heritage (architectural and archaeological heritage)				
Population				
Human health				
Air				
Climatic factors				
Material assets				
Other				

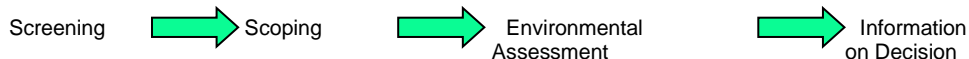
Yes: Y

No: N

Environmental objective (O): In SEA, objectives are broad, overarching principles which should specify a desired direction of change, for example, 'reduce air pollution' or 'improve human health'.

Environmental target (T): A target usually underpins an objective often having a time deadline that should be met and should be accompanied by limits or thresholds

Environmental indicator (I): Indicators are used to track the achievements of objectives and targets, describe the baseline situation, monitor the impact of the proposed plan or programme on the environment and monitor impacts



Proxy indicators: A measure of activity resulting from a P/P which provides information on environmental impact without the need for a direct measure of an environmental receptor

## Section 7 – Consideration of Alternatives

### Minimum Requirements

	Question	Yes, No, Comment	Statutory Basis
7.1	Have 'reasonable alternatives' been identified and described?		SEA Directive Article 5 Annex 1 (h)  S.I. Nos 435 & 436 of 2004
7.2	Have the reasons for selecting (a) the alternatives and (b) the preferred alternative been provided?		SEA Directive Article 5/ Article 9(1)b Annex 1 (h)  S.I. Nos 435 & 436 of 2004
7.3	Has a description of how the assessment of alternatives was undertaken been provided?		SEA Directive Article 5 Annex 1 (h)  S.I. Nos 435 & 436 of 2004

### Additional Recommended Tasks

	Question	Yes, No, Comment	
7.4	Are the potential alternatives proposed assessed against the relevant environmental objectives and against each other?		(Modified IEMA)
7.5	Has a clear explanation been given of the likely significant environmental effects of each alternative?		
7.6	Has clear written justification been given for the choice of the preferred alternative?		
7.7	Do the alternatives considered reflect the objectives and hierarchy of the P/P?		



### Section 8 – Likely Significant Effects of The Plan or Programme

Question		Statutory Basis									
8.1	Are the likely significant effects on the environment described?	SEA Directive Article 5 Annex I (f)  S.I. Nos 435 & 436 of 2004									
Environmental Receptor	S	M	L	P	T	Sec	Cm	Sy	+	-	Comment
Biodiversity, flora and fauna											
Water (surface, ground, estuarine and coastal)											
Soil											
Landscape											
Cultural Heritage (architectural and archaeological heritage)											
Population											
Human Health											
Air											
Climatic factors											
Material Assets											
Interrelationships											
Other											

Note:

S	Short -term effects
M	Medium-term effects
L	Long-term effects
P	Permanent effects
T	Temporary effects
Sec	Secondary effects
Cm	Cumulative effects
Sy	Synergistic effects
+:	Positive effects
-:	Negative effects



**Additional Recommended Tasks**

	<b>Question</b>	<b>Yes, No, Comment</b>	
8.2	Are significant effects described in relation to: - current environmental conditions  - relevant environmental standards and thresholds		
8.3	Are appropriate impact prediction methods used, and are impacts quantified where relevant?		
8.4	Have the methods used for impact prediction been described?		





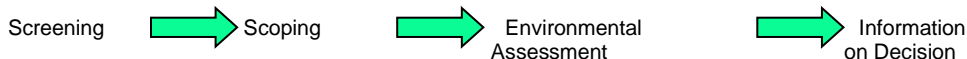
## Section 9 – Mitigation Measures

### Minimum Requirements

	Question	Yes, No, Comment	Statutory Basis
9.1	Have mitigation measures been proposed for all significant adverse effects on the environment of implementing the P/P?		SEA Directive Article 5 Annex I (g)

### Additional Recommended Tasks

	Question	Yes, No, Comment	
9.2	Have the proposed mitigation measures been incorporated into the P/P?		
9.3	Have the proposed mitigation measures been linked, where appropriate, to specific relevant significant environmental effects?		
9.4	Has an explanation been provided where mitigation of significant adverse effects is not proposed?		
9.5	Are the mitigation measures proposed within the remit of the statutory authority? If not, is there reasonable certainty that they will be implemented?		
9.6	Do the proposed mitigation measures have potential to fully avoid or mitigate the relevant impact(s)? If not, have additional measures been considered?		
9.7	Is a description provided of any likely post-mitigation residual impacts included?		
9.8	If the appropriate assessment shows that the P/P would have a significant impact on the integrity of a Natura 2000 site, has the statutory authority considered further alternatives to try to avoid these impacts?		



## Section 10 – Monitoring Programme

### Minimum Requirements

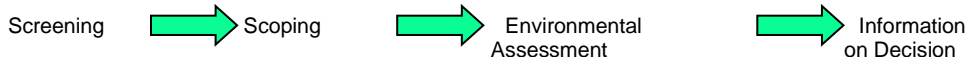
	Question	Yes, No, Comment	Statutory Basis
10.1	Has a monitoring programme of significant environmental effects of implementing the P/P been described?		SEA Directive Article 10 Annex 1 (i)  S.I. Nos 435 & 436 of 2004
10.2	Does the monitoring programme allow unforeseen adverse effects to be identified, for instance, where assumptions underpinning the ER's impact predictions may not come true in practice?		SEA Directive Article 10(1) Annex 1 (i)  S.I. Nos 435 & 436 of 2004
10.3	Have thresholds / trigger levels been assigned which will determine the need for appropriate remedial action?		SEA Directive Article 10(1) Annex 1 (i)  S.I. Nos 435 & 436 of 2004

### Additional Recommended Tasks

	Question	Yes, No, Comment	
10.4	Are responsibilities for carrying out the monitoring programme clearly defined?		DHLGH Guidelines S.8
10.5	Are responsibilities for responding to any significant negative environmental effects of implementation of the P/P clearly defined?		
10.6	Are responsibilities for identifying and responding to unforeseen adverse effects of implementation of the P/P clearly defined?		
10.7	Has the frequency of monitoring been specified in the monitoring programme?		
10.8	Has the frequency of reporting on the results of the monitoring programme been specified?		
10.9	Does the monitoring programme address significant gaps identified in the baseline data?		DHLGH Guidelines S.8
10.10	Does the monitoring programme utilise existing monitoring arrangements where appropriate?		



10.11	Does the monitoring programme include provision for the ongoing review of environmental targets and indicators?		
10.12	Has provision been made to produce regular monitoring reports during the time period of the P/P?		
10.13	Does the monitoring programme address transboundary effects, if any?		
10.14	What provisions are there to make the results and interpretation of the monitoring programme available to the designated environmental authorities and the public?		



## Section 11 – Environmental Report and Non Technical Summary

**Note:** This section provides an overview of the compliance of the ER with the requirements of the SEA Directive and the SEA Regulations. Where non-compliance has been highlighted in previous sections of the SEA Process Checklist, actions taken to resolve non-compliance should be highlighted in the ‘Comment’ section.

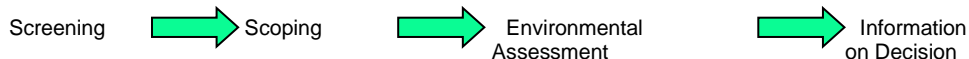
### Minimum Requirements

	<b>Question</b>	<b>Yes, No, Comment</b>	<b>Statutory Basis</b>
11.1	Does the ER contain all of the aspects listed in Annex 1 of the SEA Directive and Schedule 2 and 2B of S.I. 435 and 436 of 2004?		SEA Directive Article 5 Annex 1  S.I. Nos 435 & 436 of 2004
11.2	Does the ER include a non-technical summary?		SEA Directive Article 5 Annex I (j)  S.I. Nos 435 & 436 of 2004
11.3	Does the non-technical summary clearly summarise the following:		SEA Directive Article 5 Annex I (j)  S.I. Nos 435 & 436 of 2004
		Y/N	Comment
	Contents and main objectives of the draft P/P		
	Current state of the environment and evolution		
	Environmental characteristics of area significantly affected		
	Existing environmental problems		
	Environmental protection objectives		
	Significant effects on the environment		
	Mitigation measures		
	Alternatives		
	Monitoring		



**Additional Recommended Tasks**

	<b>Question</b>	<b>Yes, No, Comment</b>	
11.4	Has a description been provided in the ER of the screening process and subsequent determination?		
11.5	Have the responses to the scoping exercises been included in the ER? Has an explanation been given as to how these responses were considered?		
11.6	Is the non-technical summary concise and easy to understand?		DHLGH Guidelines S. 5.2.10.
11.7	Has a description of the outcome of all consultations (including transboundary) been documented in the ER?		
11.8	Have relevant references, glossary of terms and scaled maps (with source identified) been included?		



**Post P/P Adoption**

**Information on the Decision (SEA Statement)**

**Minimum Requirements**

	Question	Yes, No, Comment	Statutory basis
12.1	Has an SEA Statement, providing information on the decision, been made available, alongside the adopted P/P, to the designated authorities and the public?		SEA Directive Article 9 (1)
12.2	Where transboundary consultations took place, has the SEA statement been sent to the relevant statutory environmental authorities and the relevant Member States?		SEA Directive Article 9 (1)
12.3	Does the SEA Statement summarise: how environmental considerations (including environmental objectives) have been integrated into the P/P?  how the ER & outcome of consultations have been taken into account in the P/P?  the reason for choosing the P/P as adopted in the light of other reasonable alternatives considered?  the measures put in place to monitor (and mitigate) the significant environmental impacts of implementing the P/P?		SEA Directive Article 9 (1)(b)  DHLGH Guidelines S. 7.2



**Post P/P Adoption  
Quality and Integration with the P/P**

**Minimum Requirements**

	Question	Yes, No, Comment	Statutory basis
13.1	Have environmental considerations been integrated in the P/P preparation and adoption?		SEA Directive Article 1
13.2	Is the Environmental Report of sufficient quality to meet the requirements of the SEA Directive?		SEA Directive Article 12 (2)

**Additional Recommended Task**

	Question	Yes, No, Comment	Statutory Basis
13.3	Is the ER well presented and laid out in a logical sequence?		
13.4	Does the ER make effective use of maps, tables, figures, etc.		
13.5	Has the integration of the P/P making process and the SEA process been documented, including key stages and decisions?		
13.6	Has a description been provided in the ER of the screening process and subsequent determination?		
13.7	Have the key decision-makers been informed of: <ul style="list-style-type: none"> <li>a) the requirement for and purpose of environmental assessment?</li> <li>b) the responsibilities of the plan making authority in the context of SEA?</li> <li>c) the intended outputs of the SEA process?</li> </ul>		
13.8	Has a summary of the key outcomes of the environmental assessment been provided?		
13.9	Does the non-technical summary summarise the main findings of the environmental assessment and how they influence the plan?		DHLGH Guidelines S. 7.2

## References

- Collingwood Environmental Planning 2006. *SEA: Implementation in Practice*, Imperial College: London.
- DHLGH, 2022. *Strategic Environmental Assessment Guidelines for Regional Assemblies and Planning Authorities*. Dublin. Accessed online at: <https://assets.gov.ie/218356/6c57ccf6-3d2b-4c43-b871-1698e7daab5d.pdf>
- DOEHLG, 2004. *Implementation of SEA Directive (2001/42/EC): Assessment of the Effects of Certain Plans and Programmes on the Environment*<sup>1</sup>. Dublin: Stationery Office.
- Donnelly A., Jones M.B., O'Mahony T. and Byrne G., 2007. *Selecting environmental indicators for use in strategic environmental assessment*. *Environmental Impact Assessment Review* 27: 161-175.
- Donnelly A., Jennings E., Finnan J., Mooney P., Lynn D., Jones M., O'Mahony T., Thérivel R. and Byrne G. 2006a. *Objectives, targets and indicator for use in Strategic Environmental Assessment (SEA)*. *Journal of Environmental Assessment Policy and Management* 8: 135-156.
- Donnelly A., Jones M.B., O'Mahony T. and Byrne G., 2006b. *Decision support framework for establishing objectives, targets and indicators for use in SEA*. *Impact Assessment and Project Appraisal* 24: 151-157.
- European Commission, 1979. **Directive 79/409/EEC on the Conservation of Wild Birds (The Birds Directive)**. *Official Journal of the European Communities, Brussels, L 103: 0001 – 0018*.
- European Commission, 1992. Directive 92/43/EC on the Conservation of Natural Habitats and of Wild Fauna and Flora (The Habitats Directive). *Official Journal of the European Communities, Brussels, L 206: 7-50*.
- European Commission, 1999. *Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions*. European Commission, Brussels.
- European Commission, 2000. *Managing Natura 2000 Sites - The provisions of Article 6 of the 'Habitats Directive' 92/43/EEC*. European Commission, Brussels.
- European Commission, 2001. *Assessment of plans and projects significantly affecting Natura 2000 sites- Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EC*. European Commission, Brussels.
- European Commission, 2001. Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment. *Official Journal of the European Communities; Brussels, L197: 30–7*.
- European Commission, 2003. *Implementation of Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment*, Brussels.
- EPA, 2003. *Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland*. Environmental Protection Agency: Wexford.
- Government of Ireland, 2000. *Planning and Development Act*. House of the Oireachtas: Dublin.

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<sup>1</sup> These earlier guidelines have been superseded in 2022 by DHLGH, 2022.



Global Development Research Centre, 2007. [www.gdrc.org](http://www.gdrc.org)

Statutory Instrument, NO 435 of 2004. *Environmental Assessment of Certain Plans and Programmes*.

Stationery Office: Dublin.

Statutory Instrument, NO 436 of 2004. *Planning and Development (Strategic Environmental Assessment) Regulations*. Stationery Office: Dublin.

Statutory Instrument, NO 200 of 2011. European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011. Stationery Office: Dublin.

Statutory Instrument, NO 201 of 2011. Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011. Stationery Office: Dublin.

Thérivel R 2004 *Strategic Environmental Assessment in Action*. Earthscan, London, UK, pp 276.

### **SEA Consultation Bodies / Environmental Authorities**

*(links correct at the time of preparation)*

#### **Ireland**

- Environmental Protection Agency; ([www.epa.ie](http://www.epa.ie))
- Minister for Housing, Local Government and Heritage; ([www.housing.gov.ie/](http://www.housing.gov.ie/))
- Minister for Environment, Climate and Communications; ([www.gov.ie/decc/](http://www.gov.ie/decc/))
- Minister for Agriculture, Food and the Marine. ([www.gov.ie/dafm](http://www.gov.ie/dafm))

The NPWS is the statutory consultation body with regards Appropriate Assessment

([www.npws.ie](http://www.npws.ie))

**2022 Note :** Updated SEA contact information can be found at

- <https://www.epa.ie/our-services/monitoring--assessment/assessment/strategic-environmental-assessment/sea-contacts/>
- The [Department of Housing, Local Government and Heritage](http://www.housing.gov.ie/) website provides the most up-to- date contact details for the environmental authorities that must be consulted as part of SEA process, taking into account transfers of functions between Ministers since the SEA Regulations first identified the environmental authorities.

#### **England**

Where the Plan or Programme (or modification) may significantly affect the environment in England, you should contact the relevant authorities at the following addresses:

Environment Agency ([www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)) . Email: [enquiries@environmental-agency.gov.uk](mailto:enquiries@environmental-agency.gov.uk)

Natural England: ([www.naturalengland.org.uk](http://www.naturalengland.org.uk)). Email: [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk)

Historic England <https://historicengland.org.uk> . Useful guidance note [here](#)

## Scotland

The Scottish statutory Consultation Authorities are:

Scottish Environment Protection Agency (SEPA) [www.sepa.org.uk/planning/sea.aspx](http://www.sepa.org.uk/planning/sea.aspx)

Scottish Natural Heritage (SNH) [www.snh.gov.uk/planning-and-development/environmental-assessment/sea/](http://www.snh.gov.uk/planning-and-development/environmental-assessment/sea/)

The Scottish Ministers (Historic Scotland). [www.historic-scotland.gov.uk/sea](http://www.historic-scotland.gov.uk/sea)

Where the Plan or Programme (or modification) may significantly affect the environment in Scotland, you should contact the relevant authorities at the following address:

SEA Gateway Manager, Environmental Assessment Team, Directorate of Built Environment, 2-H (South), Victoria Quay, Edinburgh, EH6 6QQ Tel: (0044) (0)131 244 5094 Email: [SEA.Gateway@scotland.gsi.gov.uk](mailto:SEA.Gateway@scotland.gsi.gov.uk)

## Wales

The Welsh Government consultation requirements can be reviewed [here](#) .

Where the Plan or Programme (or modification) may significantly affect the environment in Wales, the following authorities should be contacted:

[Cadw \(www.cadw.wales.gov.uk\)](http://www.cadw.wales.gov.uk)

[Natural Resources Wales](#) (formed from merger of 'Countryside Council for Wales' and the 'Environment Agency Wales')

## Legislation

### **SEA Legislation**

#### **Europe**

European Union, 2001. *Directive 2001/42/EC Assessment of the effects of certain plans and programmes on the Environment* [http://ec.europa.eu/environment/eia/full-legal-text/0142\\_en.pdf](http://ec.europa.eu/environment/eia/full-legal-text/0142_en.pdf)

Protocol on SEA (Kiev, 2003). *Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context*

<http://www.unece.org/env/eia/documents/protocolenglish.pdf>

## **Ireland**

Statutory Instrument, No 435 of 2004. *Environmental Assessment of Certain Plans and Programmes Regulations*. Stationery office: Dublin

<http://www.irishstatutebook.ie/2004/en/si/0435.html>

Statutory Instrument, No 436 of 2004. *Planning and Development (Strategic Environmental Assessment) Regulations*. Stationery office: Dublin

<http://www.irishstatutebook.ie/2004/en/si/0436.html>

Statutory Instrument No 200 of 2011: *European Communities (Environmental Assessment Of Certain Plans And Programmes) (Amendment) Regulations, 2011*.

<http://www.irishstatutebook.ie/2011/en/si/0200.html>

Statutory Instrument No 201 of 2011: *Planning & Development (Strategic Environmental Assessment) (Amendment) Regulations 2011*

<http://www.irishstatutebook.ie/2011/en/si/0201.html>

## **Northern Ireland**

Statutory Rule, No 280 of 2004. *The Environmental Assessment of Plans and Programmes Regulations*. Stationery office

<http://www.opsi.gov.uk/Sr/sr2004/20040280.htm>

## **England**

Statutory Instrument, No 1633 of 2004. *The Environmental Assessment of Plans and Programmes Regulations*. Stationery office

<http://www.opsi.gov.uk/si/si2004/20041633.htm>

## **Scotland**

Statutory Instrument, No 258 of 2004. *The Environmental Assessment of Plans and Programmes Regulations*. Stationery office

<http://www.opsi.gov.uk/legislation/scotland/ssi2004/20040258.htm>

## **Wales**

Statutory Instrument, No 1656 (W.170) of 2004. *The Environmental Assessment of Plans and Programmes Regulations*. Stationery office

<http://www.opsi.gov.uk/legislation/wales/wsi2004/20041656e.htm>

## Biodiversity Legislation

### Europe

[https://ec.europa.eu/environment/nature/legislation/index\\_en.htm](https://ec.europa.eu/environment/nature/legislation/index_en.htm)

European Commission, 1979. Directive 79/409/EEC on the Conservation of Wild Birds (The Bird Directive). Official journal of the European Communities, Brussels, L 103: 0001 – 0018

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:1979:103:0001:005:EN:HTML>

European Commission, 1992. Directive 92/43/EC on the Conservation of Natural Habitats and of Wild Fauna and Flora (The Habitats Directive). Official Journal of the European Communities, Brussels, L 206: 7 – 50.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31992L0043:EN:HTML>

### Ireland

<https://www.npws.ie/legislation>

### Northern Ireland

Statutory Rule, No. 380 of 1995. *The Conservation (Nature Habitats, etc.) Regulations (Northern Ireland) 1995*

[http://www.opsi.gov.uk/sr/sr1995/Nisr\\_19950380\\_en\\_11.htm](http://www.opsi.gov.uk/sr/sr1995/Nisr_19950380_en_11.htm)

Draft Statutory Instrument [The Conservation \(Natural Habitats, etc.\) \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019](#)

### England, Scotland, Wales

Statutory Instrument, No. 2716 of 1994. *The Conservation (Natural Habitats, &c.) Regulations 1994* [http://www.opsi.gov.uk/si/si1994/uksi\\_19942716\\_en\\_1.htm](http://www.opsi.gov.uk/si/si1994/uksi_19942716_en_1.htm)

Statutory Instrument, No. 1012 of 2017. [The Conservation of Habitats and Species Regulations 2017](#)

### SEA Guidance

#### SEA Guidance

### Ireland

Department of Housing, Local Government and Heritage, 2022. *Strategic Environmental Assessment Guidelines for Regional Assemblies and Planning Authorities*. Dublin. Available at: <https://assets.gov.ie/111149/1f5b38b3-e7db-45e3-98ee-a4adad35e4a4.pdf>

Environmental Protection Agency, 2003. *Development of Strategic Environmental Assessment (SEA) - Methodologies for Plans and Programmes in Ireland*

- <http://www.epa.ie/pubs/advice/ea/developmentofseamethodologiesforplansandprogrammesinireland.html>

Many other SEA resources are available on the EPA website at

- <https://www.epa.ie/our-services/monitoring--assessment/assessment/strategic-environmental-assessment/sea-resources-and-guidance/> and
- <https://www.epa.ie/our-services/monitoring--assessment/assessment/strategic-environmental-assessment/sea-topic-and-sector-specific-guidance/>

**Other International SEA resources (correct links at initial time of inclusion) – may be superseded** – consult relevant authorities for further information.

**UK**

RSPB, 2007. *Strategic environmental assessment - learning from practice*

[http://www.rspb.org.uk/Images/seareport\\_tcm9-153343.pdf](http://www.rspb.org.uk/Images/seareport_tcm9-153343.pdf)

Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government *Sustainability Appraisal Guidance (2015)*

[Strategic environmental assessment and sustainability appraisal](#)

## **Scotland**

Scottish Government SEA Guidance

[Strategic Environmental Assessment: guidance - gov.scot \(www.gov.scot\)](#)

Natural Scotland Guidance

<https://www.nature.scot/professional-advice/planning-and-development/environmental-assessment/strategic-environmental-assessment>

## **Wales**

Welsh Assembly Government, 2020. *Local Development Plan Manual*

<https://www.gov.wales/development-plans-manual-edition-3-march-2020>

<https://www.gov.wales/development-plans>

## **SEA Specific Guidance**

Institute for Applied Technology, 2002. IMPEL Project: Implementing Article 10 of the SEA Directive 2001/42/EC - Final Report

[http://ec.europa.eu/environment/eia/pdf/impel\\_final\\_report.pdf](http://ec.europa.eu/environment/eia/pdf/impel_final_report.pdf)

European Commission DG TREN, 2005. *The SEA Manual, A Sourcebook on Strategic Environmental Assessment of Transport Infrastructure Plans and Programmes*

<http://ec.europa.eu/environment/eia/sea-support.htm>

WEBTAG, 2004. *Strategic Environmental Assessment for Transport Plans and Programmes*

<http://www.dft.gov.uk/webtag/documents/project-manager/unit2.11.php>

Levett-Therivel Sustainability Consultants, 2007. *Strategic Environmental Assessment and climate change: Guidance for practitioners*

<http://publications.environment-agency.gov.uk/PDF/GEHO0811BUCA-E-E.pdf>

RSPB, Countryside Council for Wales, English Nature and Environment Agency, 2004. *Strategic Environmental Assessment and biodiversity: guidance for practitioners*

[http://www.rspb.org.uk/Images/SEA\\_and\\_biodiversity\\_tcm9-133070.pdf](http://www.rspb.org.uk/Images/SEA_and_biodiversity_tcm9-133070.pdf)

Scottish Natural Heritage, The Countryside Agency, 2002. *Landscape character assessment - Guidance for England and Scotland*

[http://www.naturalengland.org.uk/Images/lcguidance\\_tcm6-7460.pdf](http://www.naturalengland.org.uk/Images/lcguidance_tcm6-7460.pdf)

## **Biodiversity/Appropriate Assessment**

### ***Biodiversity Generic Guidance***

European Commission Management of Natura 2000 sites

[https://ec.europa.eu/environment/nature/natura2000/management/guidance\\_en.htm](https://ec.europa.eu/environment/nature/natura2000/management/guidance_en.htm)

European Commission, 2019. *Managing Natura 2000 Sites – The provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC*

<https://op.europa.eu/en/publication-detail/-/publication/caf47cb6-207a-11e9-8d04-01aa75ed71a1/language-en/format-PDF/source-search>

European Commission, 2021. Commission notice Assessment of plans and projects in relation to Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC 2021/C 437/01

[https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021XC1028\(02\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021XC1028(02)&from=EN)

European Communities (Birds And Natural Habitats) Regulations 2011 (S.I. No. 477 Of 2011)  
<http://www.npws.ie/media/npwsie/content/files/Birds%20and%20Habitats%20Regulations%20SI%20477%20of%202011.pdf>

Department of the Environment, Heritage and Local Government 2010 - *Appropriate Assessment of Plans and Projects in Ireland*  
[http://www.npws.ie/sites/default/files/publications/pdf/NPWS\\_2009\\_AA\\_Guidance.pdf](http://www.npws.ie/sites/default/files/publications/pdf/NPWS_2009_AA_Guidance.pdf)

Department for Communities and Local Government, 2006. *Planning for the Protection of European Sites: Appropriate Assessment - Under The Conservation (Natural Habitats, &C) (Amendment) (England and Wales) Regulations 2006 - Guidance For Regional Spatial Strategies and Local Development Documents*  
<http://www.communities.gov.uk/archived/publications/planningandbuilding/planning2>

RSPB, 2007. *The appropriate assessment of spatial plans in England: a guide to why, when and how to do it*  
[http://www.rspb.org.uk/Images/spatialplansengland\\_tcm9-168180.pdf](http://www.rspb.org.uk/Images/spatialplansengland_tcm9-168180.pdf)

English Nature, 2006. *A practical toolkit for assessing cumulative effects of spatial plans and development projects on biodiversity in England*  
<http://www.english-nature.org.uk/pubs/publication/PDF/673.pdf>

Scott Wilson, Levett-Therivel Sustainability Consultants, Treweek Environmental Consultants and Land Use Consultants, 2006. *Appropriate assessment of plans*  
<http://www.landuse.co.uk/files/AppAssPlansAug06.pdf.pdf>

### **Biodiversity Specific Guidance**

Scottish Natural Heritage, 2006. *Guidance for competent authorities when dealing with proposals affecting SAC freshwater sites*  
<http://www.snh.org.uk/pdfs/publications/heritagemanagement/guidanceforcompetentauthorities.pdf>

DEFRA, UK Biodiversity, 2007. *Conserving biodiversity in a changing climate: Guidance on building capacity to adapt*  
<http://www.ukbap.org.uk/library/brig/BRIGGuidanceWebpdf.pdf>

### **SEA and Health**

[https://www.euro.who.int/\\_data/assets/pdf\\_file/0006/112749/E93878.pdf](https://www.euro.who.int/_data/assets/pdf_file/0006/112749/E93878.pdf)

## Useful Web-sites

### SEA

#### Europe

European Community home page for environmental assessment: includes legal context for both EIA and SEA

[www.europa.eu.int/comm/environment/eia/home.htm](http://www.europa.eu.int/comm/environment/eia/home.htm)

#### Ireland

The [Department of Housing, Local Government and Heritage](#) website provides up-to-date contact details for the environmental authorities that must be consulted as part of SEA process..

### UK

#### Northern Ireland

Department of Agriculture, Environment and Rural Affairs <https://www.daera-ni.gov.uk/>

#### England

Environment Agency (England and Wales) <http://www.environment-agency.gov.uk>

Natural England [www.naturalengland.co.uk](http://www.naturalengland.co.uk)

Historic England [www.historicengland.org.uk](http://www.historicengland.org.uk)

Other information sources include

Strategic Environmental Assessment Information Service <http://www.sea-info.net/>

Levett and Therivel Website <http://www.levett-therivel.co.uk/>

#### Scotland

Scottish Environment Protection Agency (SEPA) [www.sepa.org.uk/planning/sea.aspx](http://www.sepa.org.uk/planning/sea.aspx)

Scottish Natural Heritage (SNH) [www.snh.gov.uk/planning-and-development/environmental-assessment/sea/](http://www.snh.gov.uk/planning-and-development/environmental-assessment/sea/)

The Scottish Ministers (Historic Scotland) [www.historic-scotland.gov.uk/sea](http://www.historic-scotland.gov.uk/sea)

#### Wales

Cadw ([www.cadw.wales.gov.uk](http://www.cadw.wales.gov.uk) )



## Natural Resources Wales

### ***Biodiversity***

#### **European Agencies**

European Commission [http://ec.europa.eu/environment/nature/index\\_en.htm](http://ec.europa.eu/environment/nature/index_en.htm)

European Environment Agency <http://www.eea.europa.eu/themes/biodiversity>

#### **Irish Agencies**

Department of the Housing, Local Government & Heritage- The National Parks & Wildlife Service <http://www.npws.ie>

#### **UK Government Departments and Agencies**

Environment and Heritage Service (NI): statutory body advising on biodiversity (etc) in Northern Ireland

<http://www.ehsni.gov.uk/biodiversity.htm>

Natural England works for people, places and nature to conserve and enhance biodiversity, landscapes and wildlife in rural, urban, coastal and marine areas.

<http://www.naturalengland.org.uk/conservation/default.htm#>

Department of the Environment, Food and Rural Affairs

[www.defra.gov.uk](http://www.defra.gov.uk)

Joint Nature Conservancy Committee. Advisory committee to the Government on nature conservation

[www.jncc.org.uk](http://www.jncc.org.uk)

Scottish Environmental Protection Agency (SEPA).

[www.sepa.org.uk](http://www.sepa.org.uk)

Scottish Natural Heritage: statutory body advising on biodiversity (etc) in Scotland

[www.snh.org.uk](http://www.snh.org.uk)

Environment Agency, responsible for water, fisheries and waste regulation in England and Wales

[www.environment-agency.gov.uk/yourenv](http://www.environment-agency.gov.uk/yourenv)

Environment Agency (Wales)

<http://www.environment-agency.gov.uk/regions/wales/>

Countryside Council for Wales (CCW) – statutory body advising on biodiversity (etc) in Wales

<http://www.ccw.gov.uk/>

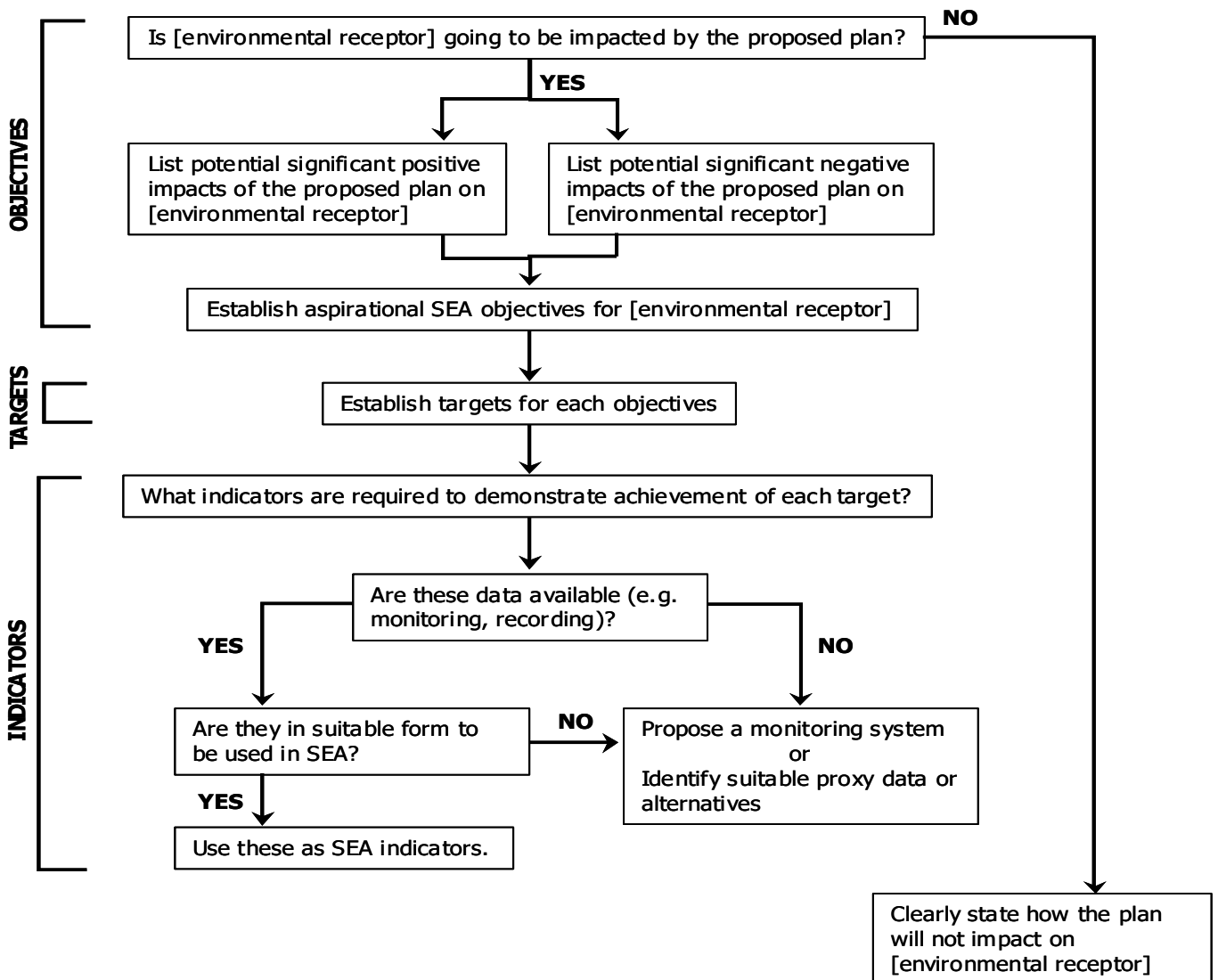
## Appendix I – Objectives, Targets and Indicators Explanation

To clearly determine the environmental impact (positive or negative) of a proposed plan or programme, environmental objectives, targets and indicators need to be established. Table 1 gives examples of typical environmental objectives, targets and indicators for use in SEA. Objectives and targets set aims and thresholds which should be taken into consideration to effectively assess the impact of proposed plans on the environment. Indicators are used to illustrate and communicate this environmental impact in a simple and effective manner. A detailed explanation of the use of objectives, targets and indicators in the SEA process is available in Thérivel (2004) and Donnelly et al., (2006a&b). In brief, objectives are established for each environmental receptor listed in the SEA Directive which express the desired direction of change (Table 1). These objectives have associated targets which set stringent thresholds and limits, which once breached, would trigger remedial action. Finally, indicators are used to track the achievements of objectives and targets, describe the baseline situation, monitor the impact of the proposed plan or programme on the environment and predict impacts (Thérivel, 2004).

**Table 1** Examples of environmental objectives, targets and indicators in SEA.

<p><b>Objectives</b> - specify the desired direction of change</p>	<p>Improve biodiversity          Improve air quality          Improve surface water quality          Reduce greenhouse gas (GHG) emissions</p>
<p><b>Targets</b> - are more focused</p>	<p>Increase the area designated for conservation by X% by 2030          10% of commuters to move from road to rail transport by 2030          All waste water to receive tertiary treatment by 2030          15% of dwellings to use a renewable energy source by 2030</p>
<p><b>Indicators</b>- measure progress towards targets</p>	<p>% land area designated for conservation          % of commuters using train/car          % of waste water receiving tertiary treatment          % of dwellings using different energy supplies</p>
<p>Proxy Indicators</p>	<p>A of activity resulting from a P/P which provides information on environmental impact without the need for a direct measure of an environmental receptor. For example, an increase in the number of vehicles (activity resulting from a P/P) can provide information on the impact on air quality and greenhouse gases without having to measure the concentration of these parameters in the receiving environmental receptor</p>

## Appendix II – Methodology for establishing environmental objectives, targets and indicators



Decision support framework for establishing, objectives, targets and indicators for use in SEA. Donnelly, A., Jones, M.B., O'Mahony, T. and Byrne, G. (2006) Decision support framework for establishing objectives, targets and indicators for use in SEA. *Impact Assessment and Project Appraisal* 24: 151-157.

**Appendix III(a) – Some additional useful guidance/reports**

Air	<a href="https://www.epa.ie/publications/monitoring--assessment/air/">https://www.epa.ie/publications/monitoring--assessment/air/</a>
Bathing Water	<a href="https://www.epa.ie/publications/monitoring--assessment/freshwater--marine/">https://www.epa.ie/publications/monitoring--assessment/freshwater--marine/</a>
Biodiversity	<a href="http://www.npws.ie/guidance-appropriate-assessment-planning-authorities">http://www.npws.ie/guidance-appropriate-assessment-planning-authorities</a> <a href="http://www.npws.ie/publications">http://www.npws.ie/publications</a>
Climate Action	<a href="https://www.dccae.gov.ie/en-ie/climate-action/Pages/default.aspx">https://www.dccae.gov.ie/en-ie/climate-action/Pages/default.aspx</a> <a href="https://www.epa.ie/publications/monitoring--assessment/climate-change/">https://www.epa.ie/publications/monitoring--assessment/climate-change/</a> <a href="https://www.climateireland.ie/">https://www.climateireland.ie/</a>
Cumulative Effects Assessment	<a href="https://www.epa.ie/publications/monitoring--assessment/assessment/good-practice-guidance-on-cumulative-effects-assessment-in-sea.php">https://www.epa.ie/publications/monitoring--assessment/assessment/good-practice-guidance-on-cumulative-effects-assessment-in-sea.php</a>
DHPLG Guidelines / Legislation	<a href="https://www.housing.gov.ie/planning/planning">https://www.housing.gov.ie/planning/planning</a>
Drinking Water	<a href="https://www.epa.ie/publications/monitoring--assessment/drinking-water/">https://www.epa.ie/publications/monitoring--assessment/drinking-water/</a>
EIA	<a href="https://www.housing.gov.ie/planning/planning">https://www.housing.gov.ie/planning/planning</a>
Energy Conservation	<a href="http://www.seai.ie">www.seai.ie</a>
Flood Risk	<a href="https://www.flooding.ie/Planning/">https://www.flooding.ie/Planning/</a>
Geology / Geomorphology	<a href="http://www.gsi.ie">www.gsi.ie</a>
Ground Water	<a href="https://www.epa.ie/our-services/monitoring--assessment/freshwater--marine/groundwater/">https://www.epa.ie/our-services/monitoring--assessment/freshwater--marine/groundwater/</a>
Landscape Character Assessment	<a href="http://www.heritagecouncil.ie/">http://www.heritagecouncil.ie/</a>
Marine	<a href="https://www.marine.ie/Home/home">https://www.marine.ie/Home/home</a>
Noise	<a href="https://www.epa.ie/our-services/monitoring--assessment/noise/noise-mapping-and-action-plans/#d.en.86024">https://www.epa.ie/our-services/monitoring--assessment/noise/noise-mapping-and-action-plans/#d.en.86024</a>
Radon	<a href="https://www.epa.ie/our-services/monitoring--assessment/radiation/">https://www.epa.ie/our-services/monitoring--assessment/radiation/</a>
SEA EPA resources	<a href="https://www.epa.ie/publications/monitoring--assessment/assessment/Updated Draft SEA Guidelines (DHLGH, 2021)">https://www.epa.ie/publications/monitoring--assessment/assessment/Updated Draft SEA Guidelines (DHLGH, 2021)</a>
State of Environment	<a href="https://www.epa.ie/our-services/monitoring--assessment/assessment/irelands-environment/state-of-environment-report/">https://www.epa.ie/our-services/monitoring--assessment/assessment/irelands-environment/state-of-environment-report/</a>
Surface Water	<a href="https://www.epa.ie/our-services/monitoring--assessment/freshwater--marine/#">https://www.epa.ie/our-services/monitoring--assessment/freshwater--marine/#</a>
Transportation	<a href="https://www.nationaltransport.ie/planning-policy/">https://www.nationaltransport.ie/planning-policy/</a> <a href="https://www.tii.ie/technical-services/environment/">https://www.tii.ie/technical-services/environment/</a>
Waste Management	<a href="https://www.epa.ie/our-services/monitoring--assessment/waste/national-waste-statistics/">https://www.epa.ie/our-services/monitoring--assessment/waste/national-waste-statistics/</a> <a href="https://www.epa.ie/our-services/monitoring--assessment/waste/">https://www.epa.ie/our-services/monitoring--assessment/waste/</a>
Waste Water	<a href="https://www.epa.ie/environment-and-you/waste-water/">https://www.epa.ie/environment-and-you/waste-water/</a>

### Appendix III(b) - Links to spatial environmental resources

Air	<a href="https://www.epa.ie/our-services/monitoring--assessment/air/#">https://www.epa.ie/our-services/monitoring--assessment/air/#</a> <a href="https://airquality.ie/">https://airquality.ie/</a>
Bathing Water	<a href="http://www.beaches.ie">http://www.beaches.ie</a>
Biodiversity	<a href="https://maps.biodiversityireland.ie/">https://maps.biodiversityireland.ie/</a> <a href="https://www.birdwatchireland.ie/OurWork/PolicyAdvocacy/BirdSensitivityMapping/tabid/1312/Default.aspx">https://www.birdwatchireland.ie/OurWork/PolicyAdvocacy/BirdSensitivityMapping/tabid/1312/Default.aspx</a> <a href="https://www.npws.ie/research-projects/ecosystems-services-mapping-and-assessment">https://www.npws.ie/research-projects/ecosystems-services-mapping-and-assessment</a> <a href="http://www.wetlandsurveysireland.com/wetlands/map-of-irish-wetlands--/map-of-irish-wetlands--map/">http://www.wetlandsurveysireland.com/wetlands/map-of-irish-wetlands--/map-of-irish-wetlands--map/</a>
Drinking Water	<a href="https://www.epa.ie/our-services/monitoring--assessment/drinking-water/">https://www.epa.ie/our-services/monitoring--assessment/drinking-water/</a>
EIA	<a href="https://www.housing.gov.ie/planning/environmental-assessment/environmental-impact-assessment-eia/eia-portal">https://www.housing.gov.ie/planning/environmental-assessment/environmental-impact-assessment-eia/eia-portal</a>
Flood Risk	<a href="http://www.floodinfo.ie">www.floodinfo.ie</a>
Geology / Geomorphology	<a href="http://www.gsi.ie/Mapping.htm">http://www.gsi.ie/Mapping.htm</a>
Ground Water	<a href="https://www.gsi.ie/en-ie/data-and-maps/Pages/Groundwater.aspx">https://www.gsi.ie/en-ie/data-and-maps/Pages/Groundwater.aspx</a> <a href="https://www.epa.ie/our-services/monitoring--assessment/freshwater--marine/groundwater/">https://www.epa.ie/our-services/monitoring--assessment/freshwater--marine/groundwater/</a> <a href="https://epawebapp.epa.ie/hydronet/#Water%20Levels">https://epawebapp.epa.ie/hydronet/#Water%20Levels</a>
Noise	<a href="https://gis.epa.ie/EPAMaps/">https://gis.epa.ie/EPAMaps/</a> (Under Environment & Wellbeing)
Radon	<a href="https://www.epa.ie/environment-and-you/radon/radon-map/">https://www.epa.ie/environment-and-you/radon/radon-map/</a>
SEA EPA resources	<a href="http://www.enviromap.ie">www.enviromap.ie</a> <a href="https://gis.epa.ie/EPAMaps/SEA">https://gis.epa.ie/EPAMaps/SEA</a> (SEAGIS Search and Reporting Tool) <a href="http://www.epa.ie/pubs/advice/ea/seaspatialinformationsourcesinventory.html">http://www.epa.ie/pubs/advice/ea/seaspatialinformationsourcesinventory.html</a>
Spatial Planning GIS	<a href="http://www.myplan.ie">www.myplan.ie</a> <a href="https://www.epa.ie/our-services/monitoring--assessment/assessment/mapping/">https://www.epa.ie/our-services/monitoring--assessment/assessment/mapping/</a> <a href="http://gis.epa.ie/SeeMaps">http://gis.epa.ie/SeeMaps</a> <a href="https://gis.epa.ie/EPAMaps/SEA">https://gis.epa.ie/EPAMaps/SEA</a> <a href="https://www.enviromap.ie">https://www.enviromap.ie</a> <a href="https://www.opr.ie/resources/">https://www.opr.ie/resources/</a> <a href="https://www.opr.ie/library/">https://www.opr.ie/library/</a>
Surface Water	<a href="http://www.catchments.ie">http://www.catchments.ie</a> <a href="https://gis.epa.ie/EPAMaps/Water">https://gis.epa.ie/EPAMaps/Water</a>
Green Procurement	<a href="https://www.epa.ie/publications/circular-economy/resources/green-public-procurement-guidance.php">https://www.epa.ie/publications/circular-economy/resources/green-public-procurement-guidance.php</a>

### Appendix III(c) – List of EPA SEA Guidance Notes

Year	Title
2023	<a href="#">Good practice guidance on SEA and Landscape</a>
2023	<a href="#">Good practice guidance on SEA for the Tourism Sector</a>
2023	<a href="#">Guidance on SEA Statements and Monitoring</a>
2022	<a href="#">Good practice guidance note on SEA in the Water Sector</a>
2021	<a href="#">Good practice guidance on SEA Screening</a>
2021	<a href="#">Good practice guidance note on SEA for the Energy Sector</a>
2021	<a href="#">SEA Process Flow</a>
2021	<a href="#">Good practice guidance on cumulative effects assessment in SEA</a>
2019	<a href="#">Integrating Climatic Factors into SEA in Ireland – A guidance note</a>
2019	<a href="#">Good practice guidance note on SEA for the Waste Sector</a>
2019	<a href="#">Good practice guidance note on SEA for the Forestry Sector</a>
2015	<a href="#">Developing and Assessing Alternatives in SEA</a>

### Appendix IV – Wetlands: Protection, Conservation and Assessment

#### Introduction

Wetlands perform very important functions at both a local and global scale, provide resources important for human welfare and represent a valuable cultural and natural heritage. Apart from the Antarctic continent, wetlands are the only major ecosystem that is the subject of an international treaty, the Ramsar Convention<sup>1</sup> of which Ireland is a contracting party. The Convention on Wetlands, signed in Ramsar, Iran, in 1971, is an intergovernmental treaty, which provides the framework for national action and international cooperation for the conservation and wise use of wetlands and their resources. However, despite the above, wetlands were until very recently regarded mistakenly by many simply as unproductive land whose conversion to a more profitable use, mainly agriculture, was beneficial to society. Alternatively, they were considered simply as wastelands ideally suited to the disposal of wastes. The un-sustainability of both approaches is now recognised and they are no longer considered acceptable practices.

The European Union (EU) issued a Communication on the Wise Use of Wetlands<sup>2</sup> in 1995, which outlines the importance of wetlands and their functions for human welfare, notes the increasing loss of wetlands at both a global and EU level and states its commitment to wise use of wetlands in the context of sustainable development and in accordance with the Ramsar Convention. This document provides a strategic basis for a policy development in relation to the sustainable use of wetland resources and the conservation of their functions and values in the EU. The Commission recently produced another useful document, which provides guidance on the role of wetlands in the implementation of the Water Framework Directive (European Commission, 2003).

Under the Ramsar Convention wetlands are defined as “areas of marsh, fen, peatland, or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish, or salt, including marine waters, the depth of which at low tide does not exceed six metres<sup>3</sup>.”

The wise use of wetlands was described as “human use so that they may yield the greatest continuous benefit to present generations while maintaining its potential to meet the needs and aspirations of future generations”, this “in a way compatible with the maintenance of their “physical, biological or

<sup>1</sup> <http://www.ramsar.org>

<sup>2</sup> Reference to the Commission Communication to the Council and the European Parliament – Wise use and Conservation of Wetlands (COM (95) 189 final, 29.05.1995 )

<sup>3</sup> Common Understanding given at the Convention of Wetlands of International Importance especially as Waterfowl Habitat, Article 1(1)

chemical components, such as soil, water, plants, animals and nutrients, and the interaction between them”<sup>4</sup>.

### **Wetland Conservation**

Wetland conservation has benefited from a number of different EU Directives especially the Birds Directive<sup>5</sup>, and Habitats Directive<sup>6</sup> and from the Water Framework Directive (WFD)<sup>7</sup>. These and their implementing legislation have allowed the designation of a series of protected area networks: Special Protection Areas (SPAs) for birds, and Special Areas of Conservation (SACs) for habitats and species. In addition, the Wildlife (Amendment) Act, SI No 38 of 2000, allows for the designation of Natural Heritage Areas for habitats, species and, geological and geomorphological sites.

The Birds and Habitats Directives have been transposed into Irish Law by the European Communities (Conservation of Wild Birds) Regulations, 1985 (S.I. No. 291 of 1985) and the E.C. (Natural Habitats) Regulations, 1997 (S.I. No. 94 of 1997) and subsequent amendments and the Wildlife Act (S.I. No 38 of 2000). The National Parks and Wildlife Service (NPWS) of the Department of Housing, Local Government and Heritage is the enforcement organisation with respect to the Habitats and Birds Directives and Wildlife Acts. Under the legislation and regulations it has the power to specify potentially damaging actions, which may adversely impact on protected areas, as Notifiable Activities. These activities, which include infilling designated wetlands, require prior assessment and approval from the Minister before they can be undertaken. However, in those cases where these actions are regulated by other regulatory bodies it is the responsibility of those bodies to ensure that their actions are compatible with the protection of the site. In other words with respect to the Habitats Directive in relation to dumping of waste in wetlands the appropriate regulatory authority is the Local Authority.

All SPAs, SACs and NHAs designated for water dependant habitats and species will be included in the Register of Protected Areas for each River Basin District established under the Water Framework Directive. This listing means that water quality and quantity requirements necessary for the conservation of these sites must be taken into account in drawing up River Basin Management Plans. In addition, the WFD requires the identification and protection of groundwater dependent terrestrial ecosystems (GWDTE) but does not specify the minimum size of ecosystem that needs to be assessed. However, it is the intention that designated areas will be assessed first and individual undesignated areas will be assessed on a case-by-case basis as and when resources permit.

In addition, wetlands have been afforded special consideration in terms of illegal waste activity in the Ministerial Direction (Circular WIR: 04/05) whereby it indicates that a risk assessment should be undertaken and that wetland sites (as well as NHAs, SACs or SPAs) should be remediated (which may include removal of the waste) in the case of illegal waste facilities which are discovered.

### **Wetland Assessments**

For the purposes of this CoP, especially in relation to risk assessment, mitigation and remediation, it is useful to divide wetlands into those whose hydrology and ecology are dependent on surface water and that dependant on groundwater. However, it is important to recognise that the ecology of any site may be dependent on both water sources to varying degrees and different habitats and species will have different sensitivities to changes in water regimes and water quality. In general surface water dependency and the linkages between a landfill and a wetland receptor are reasonably easily identified, while groundwater dependency is more problematic.

All the Irish wetland types listed below are considered to be groundwater dependant to varying degrees. Three basic categories can be recognised:

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<sup>4</sup> Conference of the Contracting Parties of the Ramsar Convention.

<sup>5</sup> Directive on the conservation of wild birds (79/409/EEC)

<sup>6</sup> Directive on the conservation of natural habitats and wild fauna and flora (92/43/EEC)

<sup>7</sup> Directive establishing a Framework for community Action in the field of Water Policy

Highly groundwater dependant ecosystems where reductions in quantity/quality would cause major adverse changes in ecosystem structure and function in the short to medium term. These include:

- turloughs;
- fens, in particular rich fens and flushes;
- springs;
- marl lakes; and
- dune slacks.

Dependant ecosystems, which, although surface water may be a dominant influence at certain times, are usually dependent on some groundwater input to retain their current ecology in the medium to long term. These include:

- rivers;
- lakes;
- swamps;
- estuaries;
- lagoons;
- freshwater marshes;
- poor fens and flushes;
- transition mire and quaking bog;
- riparian woodland;
- wet willow-alder-ash woodland;
- bog woodland;
- non-marine caves; and
- machairs.

Independent to locally dependent ecosystems where surface water is the dominant influence and where groundwater is generally only locally important. Groundwater may however be very important in the maintenance of appropriate hydrological conditions. These ecosystems include:

- raised bogs; and
- upland and lowland blanket bogs.

In line with the Ministerial Direction an assessment should be made on the impact an illegal waste activity is having on any wetland (i.e. includes undesignated sites). When illegal activities are discovered, the Risk Assessment (Figure 1) has to be undertaken and should include the following stages.

#### DESK STUDY

Determine the location of the designated sites (NHAs, SACs, SPAs), pNHAs, candidate SACs and locally important sites – these are given equal status and are automatically considered as receptors. RBDMPs have maps showing the wetland sites on the register of protected areas and whether they are considered to be GWDTE. NPWS of the DHLGH have maps of all non-wetland NHAs, SPAs, SACs. Any infilling on designated sites is considered a notifiable action.

#### WALKOVER SURVEY

Any wetlands present within 250m of an unregulated waste site should be identified during the walkover stage of the risk assessment and a risk screening score applied. The wetland should be associated with the broad type of wetland.

#### SITE INVESTIGATIONS

Having regard to the broad wetland categorisation, which has been assigned following the Site Inspection (including walk over survey), guidance should be obtained from the NPWS to outline the minimum requirements for the programme of Site Investigations to be undertaken when undertaking a risk assessment of illegal waste activities.

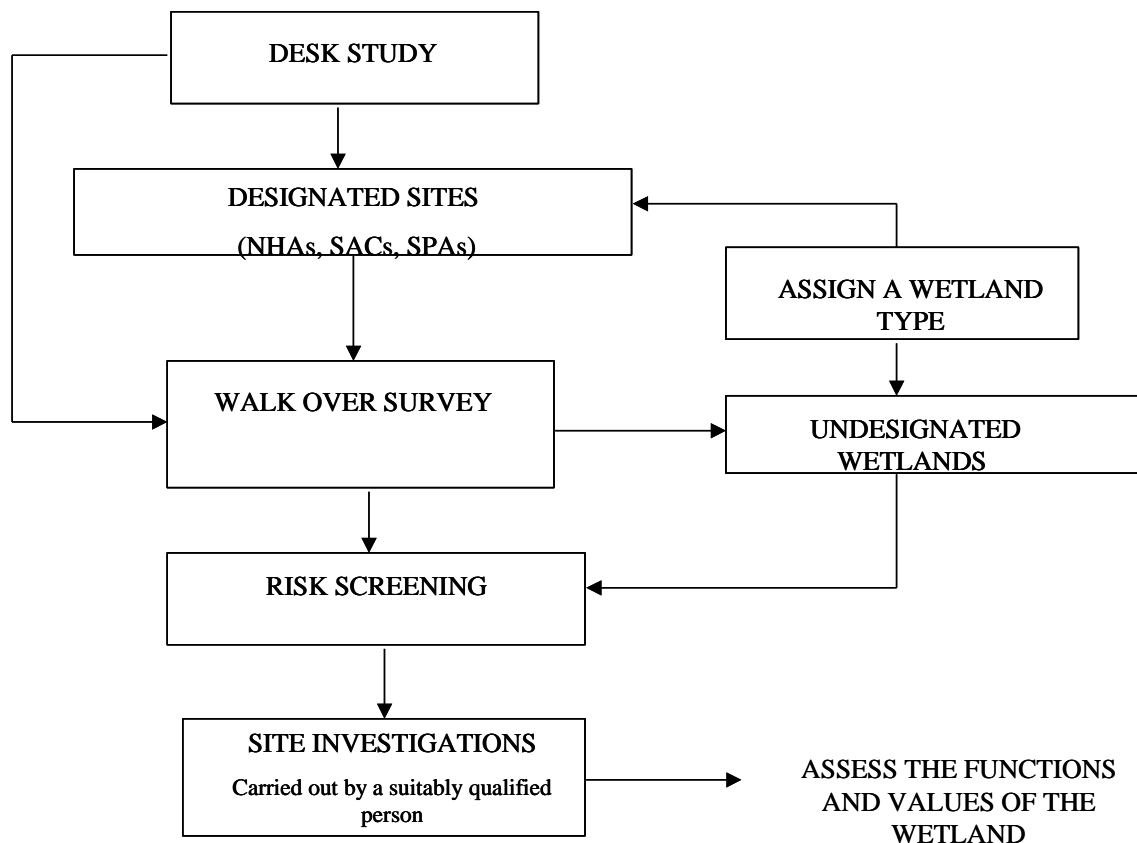
Further assessment shall be carried out during the site investigation stage in consultation with the National Parks and Wildlife Service of the DHLGH.



The assessment as a minimum shall consider the value and the functions of the wetland. Some functions that wetlands provide are; flood and erosion control; improved water quality; carbon sequestration and storage; and, provision of habitats for a wide range of aquatic and wetland dependent plant and animal species. Ecological and hydrological surveys /assessments must be carried out

In all cases a suitably qualified person shall carry out the surveys and assessments.

Figure 1: CODE OF PRACTICE FOR ILLEGAL WASTE SITES



#### Waste Regulations – Licensing and Permitting

The infilling of designated wetlands by either landfill, or through improvement or development of land, or through land reclamation is no longer an acceptable practice. Accordingly, illegal landfills should not be allowed to remain in-situ in wetlands under circumstances where it is deemed (following an assessment) to result in a negative impact.

Infilling of designated wetlands should not be allowed and a permit should not be granted for wetland pNHAs, NHAs, SACs, SPAs, and locally important sites.

For other non-wetland designated sites infilling is a notifiable action and consultation should be held with the NPWS prior to making a determination with respect to the permit. Permits can only be allowed when it has to been demonstrated that the infilling will not have a significant negative impact.

For undesignated wetlands, a permit application will have to address the potential impacts both on the wetland itself and on the services that it provides (flood relief, water quality, biodiversity). The local authority shall consult with the NPWS of DHLGH, OPW (flood remit), Fisheries Board and the RBDs (Water quality section of LA).

Figure 2 below provides a flow-chart of these procedures.

A permit application, which may be submitted by an operator seeking to carry out an in-situ remediation of an illegal site, which has involved the infilling of wetlands but is not considered to result in a negative impact, must address all impact and potential impacts:

On the wetland itself, and the services, functions and value that the wetland provides (e.g. flood relief, water quality, biodiversity etc.)

Such a permit application must contain sufficient detail and information so as to allow the competent authority to make a determination that the infilling of the wetlands will not have an adverse impact on the environment following execution of the proposed remediation works. Remediation of a wetland or removal of waste from a wetland shall be supervised by an ecologist or suitably qualified and experienced person.

Figure 2: WASTE MANAGEMENT PERMITS

