



SEA Pack

(Updated Jan 2023)

Introduction to the SEA Pack

This SEA Pack has been compiled by the EPA based on our experience to date as a statutory SEA Environmental Authority and on current best practice in the SEA Process.

The Pack comprises a combination of guidance, checklists and reference material for use in the SEA and Plan making process.

The Pack is reviewed and updated on an ongoing basis. The most recent versions of our SEA guidance will be available on the EPA website, www.epa.ie. Due to the level of activity in the SEA of Land Use Plans, the Pack has been informed primarily, though not exclusively, by SEA practice in this sector. It is, however, intended that the information and guidance included will benefit SEA and Plan/Programme-making processes for each of the sectors covered by the SEA Directive and associated national SEA Regulations.

It should be noted that while the SEA Pack refers to various publications, guidance and data sources; it is a matter for the Plan making authority and the SEA Team to ensure they consult the most recent relevant national regional and local environmental publications and databases.

Note: This SEA Pack is not a statutory document. The intention is for the information included in the Pack to guide both the Plan/Programme-making and SEA processes. In particular, it is intended that the Pack will promote integration of both Plan/Programme-making and SEA processes and compliance with the procedural and output requirements of the SEA Directive and associated Regulations, as amended. Furthermore, it is hoped that the Pack will ensure that the overall objectives of the SEA Directive and Regulations are achieved namely: the provision of a high level of protection of the environment; and, the integration of environmental considerations in the preparation and adoption of plans and programmes with a view to promoting sustainable development.

A [SEA Resource Manual for Local and Regional Planning Authorities](#) is also available, to assist planning authorities in integrating SEA legislation and procedures into land use plans at regional, county and local level.

Where the SEA Pack is issued as part of statutory SEA Scoping consultation, it is a matter for the Plan/Programme-making authority and the SEA Team to ensure that the contents of the Pack are taken into account and followed as appropriate during the SEA process.

Any comments or suggestions users of this pack may have regarding its contents are welcome and should be forwarded to sea@epa.ie and entitled **SEA PACK COMMENTS**.

Our 'SEA of Local Authority Land Use Plans – EPA Recommendations and Resources' document, is updated regularly and can be consulted at: <http://www.epa.ie/pubs/advice/ea/seaoflocalauthoritylanduseplans-eparecommendationsandresources.html>

Latest Updates	Comments
09/01/2023	Updated references to various water reports, GHG emissions, air quality, development and planning guidelines (DHLGH)

CONTENTS

(Click headings to go to specific sections)

[SEA PROCESS GUIDANCE](#)

This section provides a brief overview of the key stages in the SEA process. Reference is made to key sources of information, SEA procedures and guidance.

[SEA SCOPING CHECKLIST](#)

This section comprises a detailed Checklist of issues to be considered at the SEA Scoping stage. Possible tasks are identified and key sources of information are highlighted. The Checklist, when used during Scoping Meetings/Workshops can prove very useful in identifying available environmental information and information gaps, existing environmental problems

[SEA PROCESS CHECKLIST](#)

The SEA Process Checklist is a detailed stage-by-stage guide to the key SEA procedures, activities and associated outputs. This Checklist is intended to be used to document the SEA process with a view to ensuring compliance with the requirements of the SEA Directive and Regulations. A comprehensive list of relevant references, guidance contact information and websites is provided.

[Wetlands Conservation and Protection](#)

The definition of Wetlands as presented in the EPA's "*Code of Practice on Environment Risk Assessment for Waste Sites*". The definition will guide habitat mapping of wetland sites and will also inform policies and objectives related to the protection of wetlands.



SEA Process Guidance

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SEA Process Guidance

EPA SEA Pack

The EPA's SEA Pack is available as a separate downloadable file. It has been compiled by the EPA and is based on our experience to date as a statutory SEA Environmental Authority and on current best practice in the SEA process. It is a matter for the relevant Local Authorities (the LA) to ensure that the contents of the Pack are taken into account and followed, as appropriate, during the SEA process.

Up-to-date Environmental Monitoring Data etc.

The current state of the environment should be described using most recent and up-to-date environmental data, information and reports. Should updated environmental data and associated reports become available during the SEA process, where possible, this information should be incorporated into the description of the current state of the environment and relevant related environmental problems. In addition, the current state of drinking water quality and treatment, along with waste water effluent quality and treatment infrastructure, should be described using the most recent and up-to-date data information and reports.

The full range of Water and Air Quality Reports prepared by the EPA are available [here](#)

Geographical Information Systems

The *Environmental Sensitivity Mapping (ESM) WebTool* is a decision support tool to assist SEA and planning processes in Ireland. The tool brings together over 100 datasets and allows users to create plan-specific environmental sensitivity maps. These maps can help planners examine environmental considerations, anticipate potential land-use conflicts, and help identify suitable development locations while also protecting the environment. It is available at www.enviromap.ie.

SEA WebGIS & Reporting Tool

Our SEA WebGIS Tool has is publicly available at <https://gis.epa.ie/EPAMaps/SEA>. It allows users to produce an indicative report on key aspects of the environment in a specific geographic area. It is intended to assist public authorities in SEA screening and scoping exercises.

EPA Maps

The EPA's web based Environmental Mapping / Geographical Information System (GIS) tools are available at: <http://gis.epa.ie/SeeMaps>

River Basin Catchment Management Tool

The EPA WFD Application provides a single point of access to catchment data which will be useful for a range of catchment science and management purposes, not just those that are specific to the Water Framework Directive. The Application is accessible through EDEN <https://wfd.edenireland.ie/> and is available to public agencies.

SEA related Spatial Information Source List

A list of available SEA Spatial Information Sources is available on the EPA website and should be considered in the preparation of the SEA. This can be consulted [here](#).

The use, and application, of GIS should be considered where possible at the various key stages in the SEA process. GIS could, along with other methodologies, and depending on the

availability of relevant spatial data, assist in determining the cumulative vulnerability of various environmental resources within the Plan area. GIS could also demonstrate visually how the Plan might impact on these resources. In undertaking the SEA, all the environmental data and information presented on these GIS based maps should be taken into account.

Status of Current EPA SEA Related Guidance / Research

- [Waste sector SEA guidance](#) (Available)
- [Forestry Sector SEA guidance](#) (Available)
- [SEA & Energy Guidance](#) (Available)
- [SEA & Climate Change](#) (Available)
- [SEA & Energy guidance](#) (Available)
- [SEA & Alternatives](#) (Available)
- [GISEA Manual Update](#) (Available)
- [Cumulative Effects Assessment](#) (Available)
- [SEA Screening Guidance](#) (Available)
- [SEA Statements and Monitoring](#) (Available)
- Integrated Biodiversity Impact Assessment (Available)
- SEA & Tourism (Being prepared)
- SEA & Landscape (Being prepared)

The Office of the Planning Regulator (OPR)

As mentioned above in the Climate Change / Climatic Factors subsection, one of the statutory functions of the OPR is to evaluate and assess local authority development plans. A further statutory role of the OPR relates to research, training and public awareness. The relationship between SEA and plan-making is an area identified for further research and training, by both the EPA and OPR. The OPR works closely with the EPA and other agencies in driving innovation and learning in order to achieve shared objectives.

To that end, the OPR has developed a number of resources on their website including an online planning library, webinars and research papers. <https://www.opr.ie/research-and-training/>

Appropriate Assessment

The requirements of Article 6 of *Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora*, (the Habitats Directive) should be taken into account. Appropriate Assessment, in accordance with this Directive is required for:

“Any plan or project not directly connected with or necessary to the management of the site (Natura 2000 sites) but likely to have significant effect thereon, either individually or in combination with other plans or projects, shall be subject to Appropriate Assessment of its implications for the site in view of the sites conservation Objectives...”

The LA should consult with the National Parks and Wildlife Service (NPWS) with regard to screening of the Plan for Appropriate Assessment. Where Appropriate Assessment is required, any findings or recommendations should be incorporated into the SEA Environmental Report and Plan, as appropriate.

In order to determine the requirement for an Appropriate Assessment the following Guidance is referenced.

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

[Managing Natura 2000 sites — The provisions of Article 6 of the Habitats Directive 92/43/EEC \(europa.eu\)](http://europa.eu)

European Commission, 2002. *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/EEC*

http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf

National Parks and Wildlife Service, 2010. *Appropriate Assessment of Plans and Projects in Ireland*

https://www.npws.ie/sites/default/files/publications/pdf/NPWS_2009_AA_Guidance.pdf

National Parks and Wildlife Service, *Natura 2000 Screening Protocol – Water Service Plans and Projects* <http://www.npws.ie>

Scoping Meetings/Workshops

As part of the SEA Scoping process, we would suggest that the convening of a Scoping Meeting / Workshop with key staff internally within the LA (planning, roads, environment, heritage etc.) be considered. There would also be merits in having personnel from NPWS, DECC, DHLGH, DAFM and EPA, as appropriate, at this meeting.

For any environmental issue(s) determined to be scoped out of the SEA process, clear justification should be included in the Environmental Report as to why the specific environmental issues were not considered likely to be potentially affected by the Plan.

Alternatives

In considering and assessing alternatives, the alternatives proposed should be reasonable and realistic and should be set at the appropriate strategic level at which the Plan will be implemented operating within the national planning hierarchy. They should be assessed against the relevant environmental objectives established for the key environmental aspects of the environment likely to be significantly affected. Clear justification should be provided for the selection of the preferred alternative/ combination of alternatives.

Where relevant, the development of alternatives should be clearly described. In addition, the methodology applied in the assessment of alternatives along with any assumptions made should be described. The Agency has published an EPA Guidance document [Developing and Assessing Alternatives in Strategic Environmental Assessment - Good Practice Guidance \(EPA, 2015\)](#), which should be considered.

Consultation

In order to promote “Best Practice” in SEA in the context of consultation, it is recommended that the public be given an opportunity to make submissions on the issues to be addressed in the SEA process for the Plan. To this effect consideration should be given to the publication of relevant and appropriate notices etc. to inform and engage the wider public in the SEA process.

Following completion of the Draft Scoping Report consideration should be given to the making available of this document on the LA website or other relevant websites.

Assessment of Likely Significant Effects

In assessing the likely significant effects of the Plan on the full range of environmental issues likely to be significantly affected, the full range of effects as set out in Annex I of the SEA Directive – likely significant effects should include- secondary, cumulative, synergistic, short, medium and long term, permanent, temporary, positive and negative effects, should be assessed and reported on.

Particular reference should be made to the potential for cumulative effects associated with the implementation of the Plan in association with other relevant Plans / Programmes and projects within the Plan area and adjoining areas.

The methodology applied in the assessment of the preferred alternative along with any assumptions made should be described. Where possible and practical, quantitative assessments should be undertaken of the assessment of the preferred alternative/ combination of alternatives.

Mitigation of Significant Effects

Where significant adverse effects are identified associated with the implementation of the Plan, there should be a clear link with relevant and appropriate mitigation measure(s). The emphasis should, in the first instance, be on avoidance of significant adverse effects.

Monitoring Proposals

Monitoring arrangements should be clearly set out along with responsibilities, frequency of monitoring, analysis, and reporting on monitoring. Monitoring arrangements should be sufficiently flexible so as to be able to react to unforeseen / unexpected events. Maximum use should be made of existing environmental monitoring programmes. To this effect, the significant environmental monitoring required under the Water Framework Directive should fulfil most if not all of the requirements with respect to water quality.

The monitoring arrangements and related monitoring programme for the Plan should include relevant and appropriate thresholds which should trigger when remedial action should be undertaken for the particular aspect of the environment being monitored. The EPA have published guidance on SEA monitoring and preparing SEA statements as an output from the second review of SEA effectiveness in Ireland. This guidance is available: https://www.epa.ie/publications/monitoring--assessment/assessment/strategic-environmental-assessment/EPA_Guidance_web.pdf

Process and SEA-Environmental Report Compliance

The SEA Process for the Plan should comply fully with the procedural and output requirements set out in the SEA Directive, and the relevant national SEA Regulations. The Environmental Report should be prepared in accordance with the information specified in Article 5 - Environmental Report, Paragraphs 1 – 3 and Annex I of the SEA Directive.

Integration of SEA and Plan/Programme

Particular attention should be given during the SEA and Plan-making process to ensuring that both processes are fully integrated from the outset. Appropriate SEA Team/Plan Team Workshops should be held at key stages during both processes to ensure full engagement, interaction, and sharing of information with key members of both teams and to ensure full integration of environmental considerations in the Plan.

Consideration could also be given to the assigning a facilitator either within or external to the Local Authority (LA) with the specific role of ensuring full integration takes place during the SEA process and the Plan making process. This can be particularly beneficial where SEA is being undertaken by the LA.

Documentation of the SEA Process

Where key decisions are made during the SEA process, (e.g. scoping in/out environmental topics, selection of preferred alternative(s) etc.) the decisions should be documented as part of an overall SEA/Plan making process.

Proposed Amendments to the Draft Plan

You are referred to the requirement for any amendments proposed to the Draft Plan, to be assessed for likely significant effects in accordance with the SEA Regulations.

Information on the Decision/SEA Statement

Following adoption of the Plan the competent authority is required to make available the adopted P/P and a statement setting out relevant “Information on the Decision” as set out in Article 9 of the SEA Directive.

The requirement to prepare an SEA Statement outlining “Information on the Decision” as required by the relevant SEA Regulations in relation to Development Plans should be completed upon adoption of the Plan. EPA published guidance on preparing SEA Statements is available [here](#).

This SEA Statement should summarise the following: how environmental considerations have been integrated into the Plan; how the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Plan; the reasons for choosing the Plan adopted in the light of other reasonable alternatives dealt with; and, the measures decided upon to monitor the significant environmental effects of implementation of the Plan.

A copy of the SEA Statement with the above information should be sent to any environmental authority consulted during the SEA process.

While not a mandatory requirement consideration should be given at the Draft Plan stage to providing summary key information on: the key findings of the environmental assessment and how these findings have been integrated within the Plan.

SEA Guidance/Methodology

The following guidance should be referred to along with other relevant and appropriate SEA and related Guidance during the SEA process:

- *Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland –Synthesis report* (EPA, 2003)
<https://www.epa.ie/publications/monitoring--assessment/assessment/development-of-sea-methodologies-for-plans-and-programmes-in-ireland-.php>
- *SEA Guidelines for Regional and Planning Authorities* (DHLGH, 2022)
<https://assets.gov.ie/218356/6c57ccf6-3d2b-4c43-b871-1698e7daab5d.pdf>

In addition, to the above, it is brought to your attention that a Draft Consultation SEA Process Checklist has been published on the EPA website. The Checklist can be accessed at the following link: <https://www.epa.ie/publications/monitoring--assessment/assessment/sea-process-checklist.php>

The EPA's SEA Process Checklist in the [*Development of Strategic Environmental Assessment \(SEA\) Methodologies for Plans and Programmes in Ireland –Synthesis report*](#) (EPA, 2003) should also be taken into consideration.

EPA State of the Environment Report

The EPA prepares State of Ireland's Environment reports every 4 years. The latest iteration of this report series is available on our website at <https://www.epa.ie/publications/monitoring--assessment/assessment/state-of-the-environment/irelands-environment-2020---an-assessment.php>

The recommendations, key issues and challenges described within this report should be taken into account, as relevant and appropriate to the Plan area.

Updated SEA Regulations / Circular

Your attention is brought to the new SEA Regulations, which should be referenced and integrated into the Plan and SEA process.

Two amending SEA Regulations were signed into Irish law on 3 May 2011, amending the original SEA Regulations:

- European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011, (S.I. No. 200 of 2011), amending the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. No. 435 of 2004), and
- Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011, (S.I. No. 201 of 2011), amending the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. No. 436 of 2004).

Your attention is also brought to the DECLG Circular (PSSP 6/2011) issued on the 26th July 2011 to each County/City Manager, Director of Services and Town Clerk in relation to 'Further Transposition of the EU Directive 2001/42/EC on Strategic Environmental Assessment (SEA)' which should also be referred to and integrated into the Plan/Variation/Amendment.

European Communities (Birds and Natural Habitats) Regulations 2011

The requirements of the European Communities (Birds and Natural Habitats) Regulations 2011, (S.I. No. 477 of 2011), should also be taken into account in implementing the Plan. These Regulations consolidate the European Communities (Natural Habitats) Regulations 1997 to 2005 and the European Communities (Birds and Natural Habitats) (Control of Recreational Activities) Regulations 2010, as well as addressing transposition failures identified in the CJEU judgements.

Environmental Authorities

Under the SEA Regulations, and as amended by S.I. No. 201 of 2011 or S.I. No. 200 of 2011, SEA consultation notices should be made to the following statutory authorities:

- Environmental Protection Agency;
- Minister for Housing, Local Government and Heritage;

- Minister for Environment, Climate and Communications;
- Minister for Agriculture, Food and the Marine *and*
[Below only for land use plans covered by SI 436/2004, as amended by SI 201/2011]
- any adjoining planning authority whose area is contiguous to the area of a planning authority which prepared a draft plan, proposed variation or local area plan

The [Department of Housing, Local Government and Heritage](#) 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.

A copy of your decision regarding the determination should be made available for public inspection at your offices, local authority website and should also be notified to any Environmental Authorities already consulted.



Draft Scoping Checklist

Working Document

SEA Scoping Checklist for use by SEA / Plan-making Teams

Water: Infrastructure and Quality

Waste Water Treatment

Current capacity and level of treatment
Predicted future capacity and predicted future requirement
Septic tanks
Performance of existing treatment plant(s)
Scheduled phasing of upgrading/construction
Monitoring/maintenance
Proposals to link with existing treatment plants
Existing problems – surface/groundwater quality
Foul drainage/surface drainage - linked/separate
Sustainable Urban Drainage System (SUDS)
Storm water storage

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Possible Task(s):

Undertake assessment of wastewater infrastructural needs
Short /medium/long-term programme for upgrade of wastewater treatment systems.
Programme of maintenance of septic tanks
Linkage of septic tanks to foul drainage system

Some Useful Information Source(s):

Updated Legislation

- Environmental Objectives (Surface Waters) Regulations 2009' 2009 (S.I. No 272 of 2009):
<http://www.housing.gov.ie/water/water-quality/water-framework-directive/water-framework-directive>
- [Waste Water Discharge \(Authorisation\) Regulations, 2007, S.I. No. 684 of 2007](#)

DHLGH: Water Services:

- <http://www.housing.gov.ie/water/water-quality/water>

EPA : *Urban Waste Water Discharge* reports.

<https://www.epa.ie/publications/monitoring--assessment/waste-water/>

EPA: *Code of Practice Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)* (EPA, 2021):

https://www.epa.ie/publications/compliance--enforcement/waste-water/2021_CodeofPractice_Web.pdf

Existing Environmental Information:

Existing Environmental Problems:

Information Gaps:

Scoping Meeting Actions and Responsibilities

Water Supply

Source(s) – surface water/groundwater

Adequacy of supply

Existing capacity and level of treatment

Predicted future capacity and predicted future requirement

Existing problems – surface/groundwater quality

Percentage water loss through leaking infrastructure

Protection of significant water bodies from pollution

Possible Task(s):

Water leak monitoring programme

Undertake assessment of water supply infrastructure needs

Programme for replacement of infrastructure

Some Useful Information Source(s):

DHLGH: Water Services:

- <http://www.housing.gov.ie/>,

Uisce Eireann:

- www.water.ie

EPA: *Drinking Water* Reports for Public Water Supplies:

<https://www.epa.ie/publications/compliance--enforcement/drinking-water/annual-drinking-water-reports/>

Existing Environmental Information:

Existing Environmental Problems:

Information Gaps:

Scoping Meeting Actions and Responsibilities:

Watercourses/Surface Water Quality

- Fisheries
- Biological water quality: Q-values
- Chemical water quality
- Existing monitoring
- Application of buffer zone along watercourses
- Emergency plan regarding spillages
- Climate change implications – low flow/drought

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Some Useful Information Source(s):

DHLGH: Water Quality:

- <http://www.housing.gov.ie/water/water-quality/water>

EPA: Water Data:

Water Quality in Ireland reports

- <http://www.epa.ie/pubs/reports/water/waterqua/>
- <http://catchments.ie>

Existing Environmental Information:

Existing Environmental Problems:

Information Gaps:

Scoping Meeting Actions and Responsibilities:

Ground water

- Drinking water
- Aquifer characterisation
- Aquifer vulnerability
- Source protection
- Saline intrusion (coastal locations)
- Monitoring/mitigation

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Possible Task(s):

- Groundwater Protection Scheme
- Groundwater Monitoring Programme

Some Useful Information Source(s):

Updated Legislation

European Communities Environmental Objectives (Groundwater) Regulations 2010 (S.I.9 of 2010):

- <https://www.irishstatutebook.ie/eli/2010/si/9/made/en/print>

European Union Environmental Objectives (Groundwater) (Amendment) Regulations 2016.

- <https://www.irishstatutebook.ie/eli/2016/si/366/made/en/print>

GSI: Groundwater (classification and vulnerability mapping):

- <http://www.gsi.ie/Mapping.htm>

EPA: Groundwater Data:

- <https://www.epa.ie/our-services/monitoring--assessment/freshwater--marine/groundwater/#d.en.71423>
- <http://catchments.ie>

Existing Environmental Information:
Existing Environmental Problems:
Information Gaps:

Scoping Meeting Actions and Responsibilities:

WFD River Basin District

River characteristics – River Characterisation Report

Risk category

Q-values

Fisheries value, e.g. oysters, salmonids

Linkages with groundwater



Possible Task(s):

Review River Characterisation Report

Some Useful Information Source(s):

EPA: River Water Quality Reports:

- *Water Quality in Ireland* reports
- <https://wfd.edenireland.ie/>
- <http://www.catchments.ie>
- <https://www.epa.ie/publications/monitoring--assessment/freshwater--marine/>

WFD: River Basin Management Plan for Ireland (DHLGH, 2017)

WFD: River Characterisation Reports:

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Existing Environmental Information:
Existing Environmental Problems:
Information Gaps:

Scoping Meeting Actions and Responsibilities:

Beaches

Bathing water status: Blue Flag Criteria

Bathing water quality monitoring

Integrated Coastal Zone Management

Some Useful Information Source(s):

EPA: Bathing Water:

The Quality of Bathing Water in Ireland reports

- <https://www.epa.ie/publications/monitoring--assessment/freshwater--marine>

An Taisce: Blue Flag Data:

- <http://www.antaisce.org>
- <https://www.epa.ie/publications/monitoring--assessment/freshwater--marine>
www.beaches.ie

Existing Environmental Information:

Existing Environmental Problems:

Information Gaps:

Scoping Meeting Actions and Responsibilities:

Flood Protection

Flood risk management

Areas currently at risk

Development pressure on flood plains

Climate change - implications/adaptation/design standards

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Possible Task(s):

Prepare a Flood Risk Management Plan for the area (utilising a catchment based approach)

Produce map of flooding extent (historical and predicted future) for the area

Some Useful Information Source(s):

The Planning System and Flood Risk Management - Guidelines for Planning Authorities (DHLGH/OPW, 2009):

- <http://www.housing.gov.ie/sites/default/files/migrated-files/en/Publications/DevelopmentandHousing/Planning/FileDownload%2C21709%2Cen.pdf>

Office of Public Works: Flood Prediction Site:

- <http://www.floodinfo.ie/>

Existing Environmental Information:

Existing Environmental Problems:

Information Gaps:

Scoping Meeting Actions and Responsibilities:

Harbours/Marinas - Generally for Harbour Plans

- Waste recycling
- Accidental spills
- Emergency plan regarding spillages
- Ballast water
- Oil/waste oil storage
- Hazardous waste
- Code of practice regarding water quality
- Dredging proposals
- Disposal of dredging spoil
- Invasive species
- Presence of nearby Shellfish Waters?

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Possible task:

- Implementation of Marina Water Quality Management Plan
- Implementation of Harbour Management Plan

Existing Environmental Information:
Existing Environmental Problems:
Information Gaps:

Scoping Meeting Actions and Responsibilities:

Transport

- Roads – proposed improvements, bypass schemes; status of same
- Rail
- Public transport
- Cycle lanes
- Walking routes
- Installation of lighting and/or footpaths
- Maintenance of existing transport infrastructure
- Proposed construction/improvement of transport infrastructure
- Parking facilities
- Existing problems of congestion
- Air travel/ exclusion zones
- Rural transport

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Possible Task(s):

Development of Integrated Traffic Management Plan

Some Useful Information Sources:

Department of Transport

- <http://www.dttas.gov.ie/>

Transport Infrastructure Ireland

- <http://tii.ie/>

National Roads Authority:

- <http://www.nra.ie/>

Existing Environmental Information:

Existing Environmental Problems:

Information Gaps:

Scoping Meeting Actions and Responsibilities:

Built Environment

Heritage

Heritage features – historical importance, sense of place

Architectural features – individual sites/complexes

Archaeology – land/coast/marine based; known/potential

Architectural Conservation Areas

Industrial architecture

Historical features, battle sites

Historical landscapes/heritage landscapes, e.g. stone walls

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Possible Task(s):

Promotion of linkages between different features/complexes of features by way of trails/walking routes, etc

Some Information Source(s):

National Inventory of Architectural Heritage:

- <http://www.buildingsofireland.ie/>

Heritage of Ireland:

- <http://www.heritageireland.ie/>

Existing Environmental Information:

Existing Environmental Problems:

Information Gaps:

Scoping Meeting Actions and Responsibilities:

Amenity

Open space	<input type="checkbox"/>
Estates, gardens	<input type="checkbox"/>
Public realm/towns	<input type="checkbox"/>
Community facilities – playing areas	<input type="checkbox"/>
Cycle/Walking routes	<input type="checkbox"/>
Waterside/Lakeside/Coastal features	<input type="checkbox"/>
Historical/archaeological trails	<input type="checkbox"/>
Fishing	<input type="checkbox"/>
Boating/sailing/wind surfing and other water based activities	<input type="checkbox"/>
Other sporting/recreational activities	<input type="checkbox"/>

Some Information Source(s):

Go Outdoor Ireland:

- <http://www.gooutdoorireland.com/>

Existing Environmental Information:
Existing Environmental Problems:
Information Gaps:

Scoping Meeting Actions and Responsibilities:

Biodiversity

Designated sites (SACs, SPAs, NHAs) – need for appropriate assessment
Designated sites (SACs, SPAs, NHAs) – management plan/notifiable activities
Habitats – habitat mapping, quality
Buffer zone application (e.g. designated features, water bodies, valuable habitats)
Habitats of value/importance (e.g. woodlands, wetland features)
Hedgerows
Trees/groups of trees, Tree Protection Order's
Fisheries
Protected species – e.g. otters, bats, badgers, salmonids, seals, etc
Other species of value
Local biodiversity – ponds, ditches, watercourses, lakes, ecological networks
WFD – RBDs – River/Water body characterisation, monitoring
Invasive species, e.g. Japanese Knotweed, Giant Hogweed, Zebra mussel

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Possible Task(s):

SAC/SPA Management/Maintenance Plan

Habitat Mapping – water features, woodlands, trees and hedgerows, etc.

Some Information Source(s):

Regulations: *European Communities (Birds and Natural Habitats) Regulations 2011*

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

NPWS: Assessment of Plans and Projects in Ireland- Guidance for Planning Authorities:

- <https://www.npws.ie/protected-sites/guidance-appropriate-assessment-planning-authorities>
- Undertaking Non-Energy Extractive Activities in Accordance with Natura 2000 Requirement:
- <https://op.europa.eu/en/publication-detail/-/publication/69b6d6c1-bfc1-4fe5-9252-08af20a95cfe/>

Wind Energy:

- [Guidance document on wind energy developments and EU nature legislation](#)

Invasive Species:

- <http://www.invasivespeciesireland.com/>

National Biodiversity Data Centre:

- <http://www.biodiversityireland.ie/>

EPA: Environmental Maps:

- <http://gis.epa.ie/SeeMaps>

Existing Environmental Information:

Existing Environmental Problems:

Information Gaps:

Geo-diversity/Mining/Quarries

Features of geological/geomorphological interest

Mining exploration (current and past)

Quarry – sand/gravel/rock

Possible Task(s):

Preparation of register of known features of geological/geomorphological interest

Preparation of register of active and closed mines/quarries

Remediation of closed mines/quarries

Information Source(s):

The Geological Survey of Ireland:

- <http://www.gsi.ie/>

Existing Environmental Information:

Existing Environmental Problems:

Information Gaps:

Scoping Meeting Actions and Responsibilities:

Landscape

Characteristics of local landscape, lakescape, riverscape, townscape, streetscape

Green Infrastructure

Landscape Character Assessment

Unique landscape features – e.g. stone walls, woodlands, estuaries

Landscape, landform, contours

Tree lines and groups/Tree Protection Orders

Seascape – outward views, inward views

Scenic areas, routes

Gardens

Historical landscape

Dereliction

Brownfield Development

Building design – height restrictions, suitable design for surroundings

Possible Task(s):

- Landscape Character Assessment
- Landscape Visual Assessment
- Designation and protection of sensitive landscapes
- Protection of scenic views and scenic routes
- Guidelines on visual assessment of significant developments in context of key landscape features

Some Information Source(s):

Landscape Policy Development:

- National Landscape Strategy (DHLGH, 2015)
<https://assets.gov.ie/95852/388d4758-50c1-42bd-9adc-0bdf1291765.pdf>
- <https://www.heritagecouncil.ie/projects/landscape>

Heritage Council:

- http://www.heritagecouncil.ie/publications/LCA_2006/index.html

Green Infrastructure:

- <https://www.irishlandscapeinstitute.com/>
- [Green infrastructure: better living through nature-based solutions — European Environment Agency \(europa.eu\)](https://www.environment.europa.eu/en/infrastructure)
- <https://www.socialjustice.ie/system/files/file-uploads/2021-09/2010-08-leafletoncreatngreeninfrastructureforireland-comhar.pdf>

Existing Environmental Information:
Existing Environmental Problems:
Information Gaps:
Scoping Meeting Actions and Responsibilities

Agriculture

- Type and intensity of agriculture
- Forestry
- Fisheries
- Market Gardening
- Size of farm units
- Quality of soil/sub-soil

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Possible Task(s):

Investigate opportunities for protection of best-quality soils through land use zoning

Information Source(s):

Teagasc: Soil Surveys:

- <http://www.teagasc.ie/>

Corine Land Use Database:

- <http://www.epa.ie/soilandbiodiversity/soils/land/corine/>

EPA: EPA GIS Maps:

- <http://gis.epa.ie/SeeMaps>

Teagasc – EPA: Soils Information System:

- <https://www.teagasc.ie/environment/soil/irish-soil-information-system/>

Existing Environmental Information:
Existing Environmental Problems:
Information Gaps:
Scoping Meeting Actions and Responsibilities:

Waste Management

General Waste

Recycling facilities/initiatives

Litter, Litter Warden

Hazardous materials

Illegal dumping

Construction waste recycling/disposal

Contaminated soil

Historical closed landfill sites

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Possible Task(s):

Preparation of Integrated Waste Management Plan

Community based recycling initiatives

Remediation of historical landfill sites

Some Information Source(s):

DECC: Litter:

- <https://www.gov.ie/en/publication/5a64c-national-litter-pollution-monitoring-scheme/>

DECC: Waste Action Plan for a Circular Economy

- <https://www.gov.ie/en/publication/b542d-whole-of-government-circular-economy-strategy-2022-2023-living-more-using-less/>

EPA: Waste:

- <http://www.epa.ie/pubs/reports/waste/>

Existing Environmental Information:

Existing Environmental Problems:

Information Gaps:

Scoping Meeting Actions and Responsibilities:

Energy/Communications

- Conservation – building standards, insulation
- Renewables – wind, geothermal, solar, hydro, tidal, wave
- Energy efficiency in buildings, sustainable building design
- Transmission networks – current capacity and condition
- Transmission networks – replacement and extension of infrastructure
- Visual impact of infrastructure (energy and telecommunications)

Possible Task(s):

- Formulation of policies and objectives regarding energy conservation
- Formulation of policies and objectives regarding renewable energy

Information Source(s):

Sustainable Energy Ireland:

- <http://www.sei.ie/>

Department of Environment, Climate and Communications:

- <http://www.decc.gov.ie/>
- Energy Policy ([gov.ie](http://www.gov.ie) - [Energy \(www.gov.ie\)](http://www.gov.ie))

Existing Environmental Information:

Existing Environmental Problems:

Information Gaps:

Scoping Meeting Actions and Responsibilities:

Air/Climate

Power plants
Greenhouse gasses
Climate change
Noise
Traffic

Information Source(s):

DECC: Air Quality:

- [gov.ie - Consultation on the Clean Air Strategy for Ireland \(www.gov.ie\)](http://www.gov.ie)

National Climate Change Strategy:

- [gov.ie - Climate Action \(www.gov.ie\)](http://www.gov.ie)

EPA: Air Quality

- <http://www.epa.ie/pubs/reports/air/>

Existing Environmental Information:

Existing Environmental Problems:

Information Gaps:

Scoping Meeting Actions and Responsibilities:

Tourism

Major projects
Sufficient infrastructural linkages
Cater for increased numbers during the Summer
Consolidate development in tourist related areas

Possible Task(s):

Preparation of Tourism Plan
Promotion of linkages between features/groups of features
Promotion of cycle ways, walking routes, waterways/navigational corridors as tourist trails

Some Information Source(s):

Fáilte Ireland:

- <http://www.failteireland.ie/>

Existing Environmental Information:

Existing Environmental Problems:

Information Gaps:

Scoping Meeting Actions and Responsibilities:

Some Examples of Possible Key Issues

- Infrastructural requirements
- Water quality (surface water/groundwater/estuarine/coastal)
- Landscape
- Biodiversity & ecological connectivity
- Flooding
- Significance of proposed population changes
- Waste management
- Traffic management
- Climate change
- Forward planning

Some Examples of Possible Challenges

Options

- Land use zoning
- Restrictions/buffers
- Protection of landscapes/green belt areas
- Flood Risk Areas

Nature of zoning

- Protected areas
- Flood risk areas
- Riverside/Water body buffer
- High amenity areas
- Protected landscape/streetscape/lakescape

Mixture of zoning

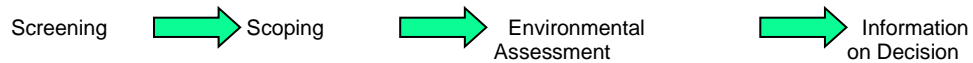
- Density
- Extent and need for further zoning



SEA Process Checklist

Consultation Draft 18th January 2008
(Updated: 11th September 2017)

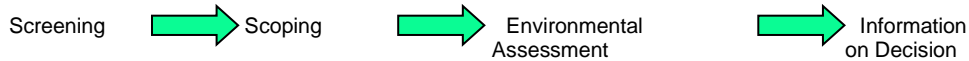
Date	Details of Changes
11/09/2017	Updated details of Government Department changes in Ministers' Remits and references to the 2011 amendments to the SEA regulations
13/09/2022	Updated Government Department changes in Minister's remits
31/01/2023	Updated resource links and references



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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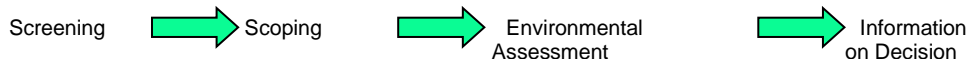
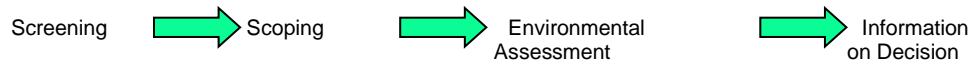


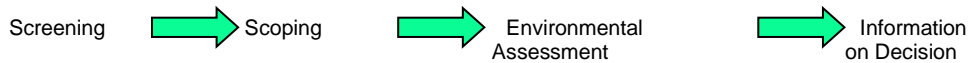
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Abbreviations

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

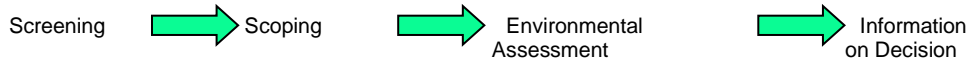


Glossary

<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 the Housing, Local Government and Heritage (DHLGH), the Department of Environment, Climate and Communications and the Department of Agriculture, Marine and Food.
<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"> - 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 - which are required by legislative, regulatory or administrative provisions.
<i>Post-mitigation impacts:</i>	<i>residual</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>		<p>The determination of whether implementation of a P/P would be likely to have significant environmental effects on the environment.</p> <p>The process of deciding whether a P/P requires SEA.</p>
<i>SEA Directive:</i>		Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the environment'.



SEA Statement:

A statement summarising:

- how environmental considerations have been integrated into the P/P
- how the ER, the opinions of the public and designated authorities, and the results of transboundary consultations have been taken into account
- the reasons for choosing the P/P as adopted in the light of other reasonable alternatives.

Secondary effect:

Effects that are not a direct result of the P/P, same as indirect effect.

Short-term effects:

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.

Significant effects:

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.

Statutory authority:

The authority by which or on whose behalf the plan or programme is prepared.

Statutory Instrument:

Any order, regulation, rule, scheme or bye-law made in exercise of a power conferred by statute.

Synergistic effect:

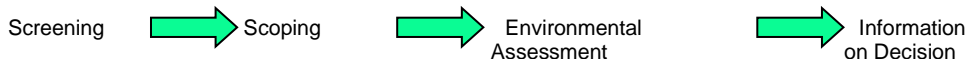
Effects that, when totalled, result in a greater or lesser effect than the sum of the individual effects.

Transboundary Consultation:

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.

Zone of Influence:

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 original Guidance produced by the Department of the (then) Environment, Heritage and Local Government (*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) 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 has been updated in 2022, to update references to sections of the older 2004 guidance, which have now been superceded 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, 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 (then) Department of 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.

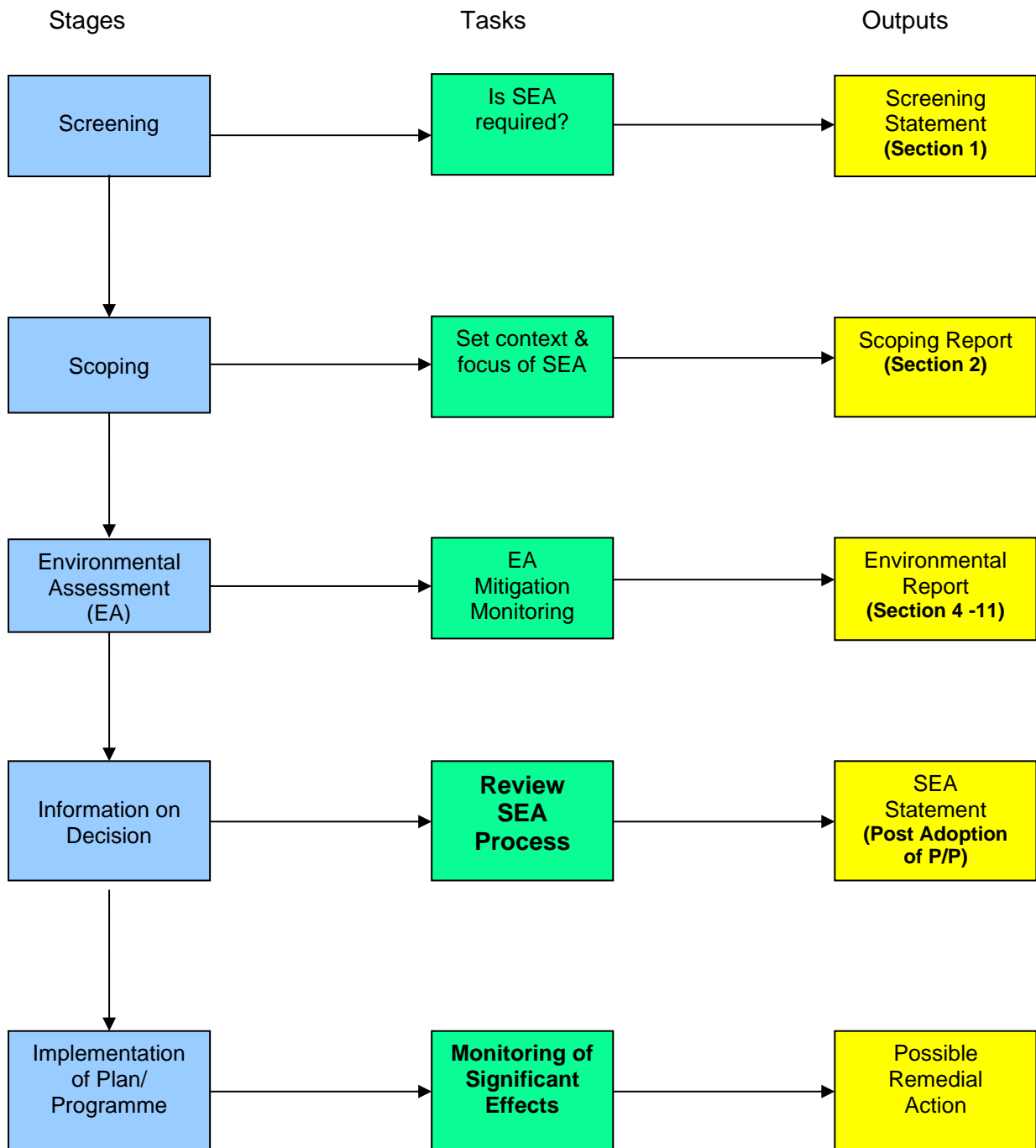
Next Stages

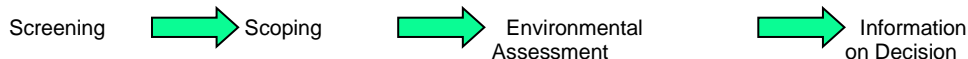
It should be noted that the Checklist will be an active document and will be updated on a regular basis.



The SEA Process: Key Stages, Tasks and Outputs

The 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. 436/2004 or Schedule 1 of S.I. 435/2004, 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?		



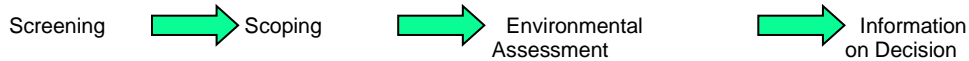
Section 2- Scoping

Minimum Requirements

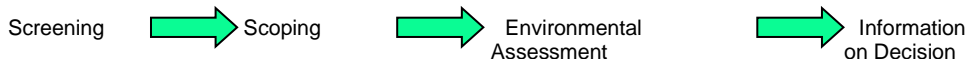
	Question	Yes, No, Comment	Statutory basis
2.1	Were the designated environmental authorities consulted when deciding on the scope of the information to be included in the Environmental Report?		SEA Directive Article 5 (4) S.I. Nos 435 & 436 of 2004 as amended by SI's 200 & 201 of 2011

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?		
2.15	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

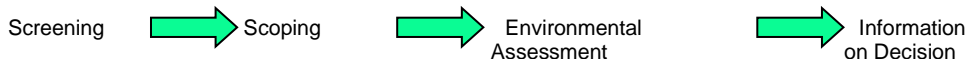
Consultation with Designated Authorities, Public, and, where applicable, International and National Transboundary Consultations

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

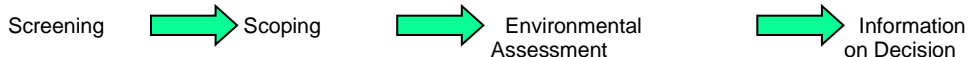
Section 4 – Plan Description

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							

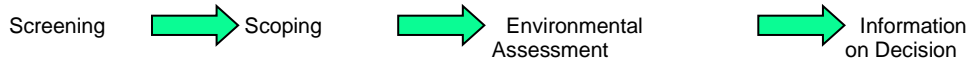
Yes: Y & No: N



	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?		

Screening



Scoping

Environmental
AssessmentInformation
on Decision

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												

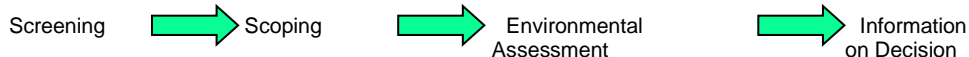
Note:

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

	Question	Yes, No, Comment	
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?		



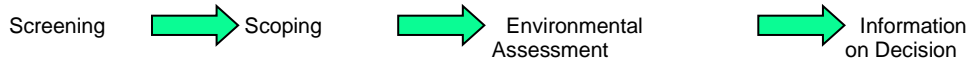
Section 9 – Mitigation Measures

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

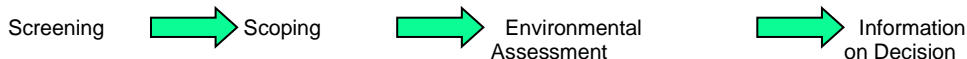
	Question	Yes, No, Comment	Statutory Basis
10.1	Has a monitoring programme of significant environmental effects of implementing the P/P been described?		SEA Directive Article 10 Annex 1 (i) S.I. Nos 435 & 436 of 2004
10.2	Does the monitoring programme allow unforeseen adverse effects to be identified, 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.

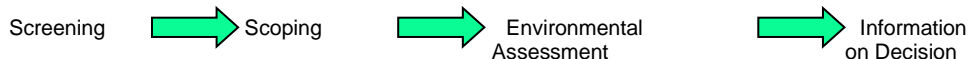
Minimum Requirements

	<i>Question</i>	<i>Yes, No, Comment</i>	<i>Statutory Basis</i>
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

	Question	Yes, No, Comment	
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?		

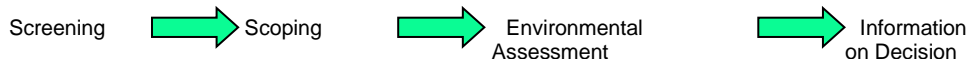


Post P/P Adoption

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"> a) the requirement for and purpose of environmental assessment? b) the responsibilities of the plan making authority in the context of SEA? c) the intended outputs of the SEA process? 		
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>
- 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.
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- 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.
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- 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.
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- Government of Ireland, 2000. *Planning and Development Act*. House of the Oireachtas: Dublin.
- Global Development Research Centre, 2007. 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

SEA

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

AA

- NPWS (www.npws.ie)

2022 Note

Updated SEA contact details are to 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) . Email: enquiries@environmental-agency.gov.uk

Natural England: (www.naturalengland.org.uk). Email: enquiries@naturalengland.org.uk

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

Scotland

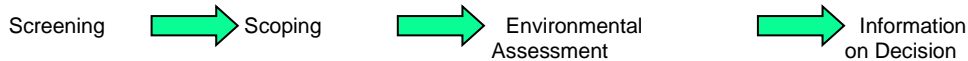
The Scottish statutory Consultation Authorities are:

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

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

The Scottish Ministers (Historic Scotland). 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

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

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

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

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:1979:103:0001:0005: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

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

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

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

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

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

Biodiversity/Appropriate Assessment

Biodiversity Generic Guidance

European Commission Management of Natura 2000 sites

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

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

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*

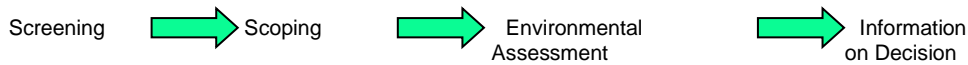
<http://www.landuse.co.uk/files/AppAssPlansAug06.pdf.pdf>

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

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

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

Historic England 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/>

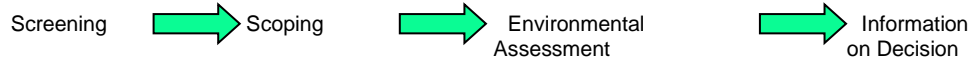
Scotland

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

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

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

Wales



Cadw (www.cadw.wales.gov.uk)

[Natural Resources Wales](#)

Biodiversity

European Agencies

European Commission 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

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

www.jncc.org.uk

Scottish Environmental Protection Agency (SEPA).

www.sepa.org.uk

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

www.snh.org.uk

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

www.environment-agency.gov.uk/yourenv

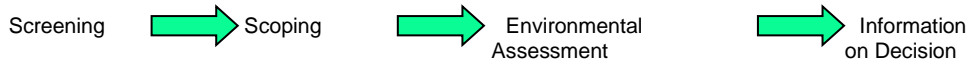
Environment Agency (Wales)

<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/>



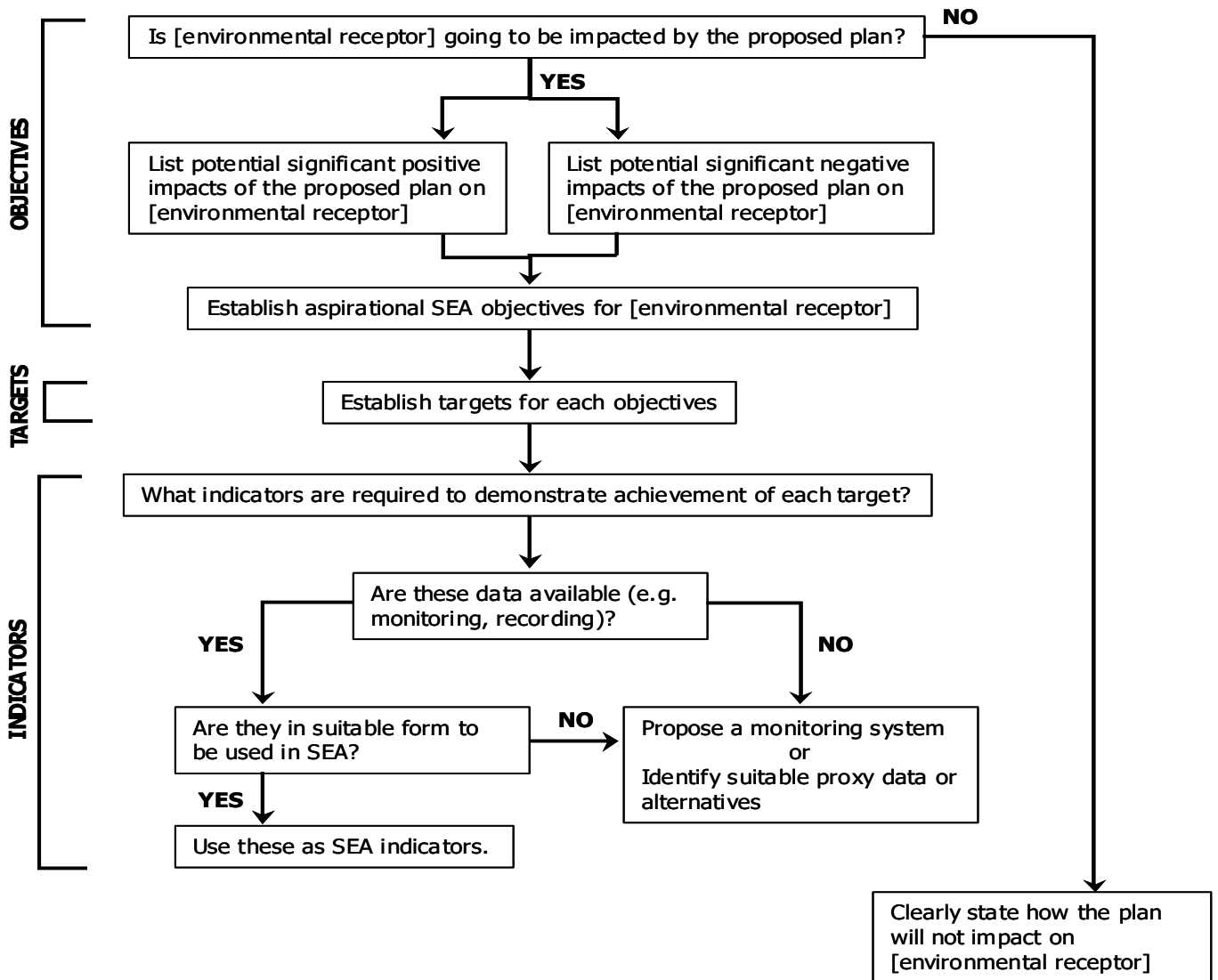
Appendix I – Objectives, Targets and Indicators Explanation

In order 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.

Objectives - specify the desired direction of change	Improve biodiversity Improve air quality Improve surface water quality Reduce greenhouse gas (GHG) emissions
Targets - are more focused	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
Indicators - measure progress towards targets	% land area designated for conservation % of commuters using train/car % of waste water receiving tertiary treatment % of dwellings using different energy supplies
Proxy Indicators	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

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



Appendix III(b) - Links to spatial environmental resources

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



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

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

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 Convention¹ 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 Wetlands² 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 metres³.”

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

¹ <http://www.ramsar.org>

² 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)

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



future generations”, this “in a way compatible with the maintenance of their “physical, biological or chemical components, such as soil, water, plants, animals and nutrients, and the interaction between them”⁴.

Wetland Conservation

Wetland conservation has benefited from a number of different EU Directives especially the Birds Directive⁵, and Habitats Directive⁶ and from the Water Framework Directive (WFD)⁷. 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.

⁴ Conference of the Contracting Parties of the Ramsar Convention.

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

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

⁷ Directive establishing a Framework for community Action in the field of Water Policy



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

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

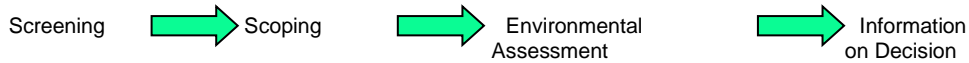
Determine the location of the designated sites (NHAs, SACs, SPAs), pNHAs, candidate SACs and locally important sites – these are given equal status and are automatically considered as receptors. RBDMPs have maps showing the wetland sites on the register of protected areas and whether they are considered 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

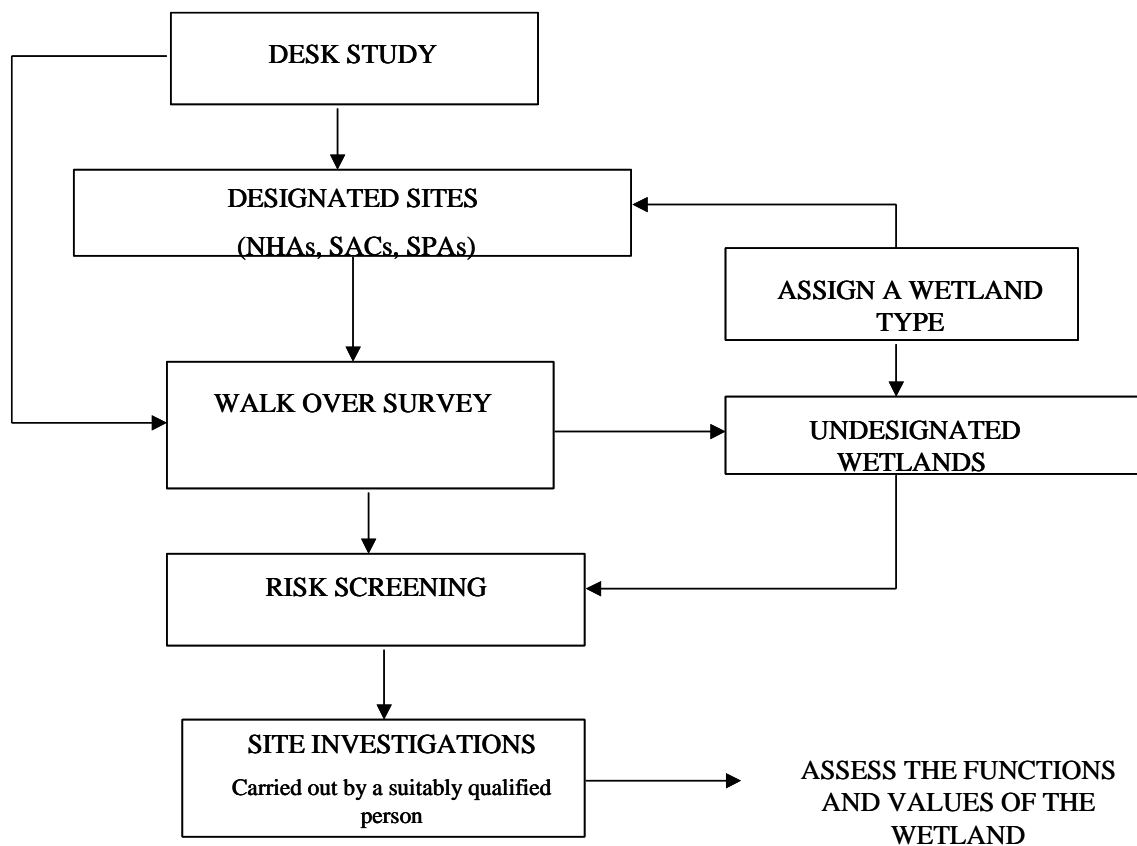


minimum requirements for the programme of Site Investigations to be undertaken when undertaking a risk assessment of illegal waste activities. Further assessment shall be carried out during the site investigation stage in consultation with the National Parks and Wildlife Service of the DHLGH.

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.

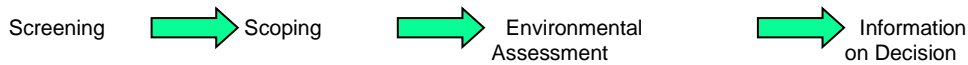
Figure 1: CODE OF PRACTICE FOR ILLEGAL WASTE SITES



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 be 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

Screening → Scoping → Environmental Assessment → Information on Decision

