

## STRATEGIC ENVIRONMENTAL ASSESSMENT

Strategic Environmental Assessment (SEA) is a process which will evaluate, at the earliest appropriate stage, the environmental effects of the Flood Risk Management Plans (FRMPs) before they are adopted. It will also give the public and other interested parties an opportunity to comment and to be kept informed of decisions and how they were made. Early consideration of environmental concerns in the planning process creates the opportunity for environmental factors to be considered explicitly alongside other factors such as social, technical or economic aspects.

Directive 2001/42/EC (the SEA Directive) establishes the requirement for SEA. The requirements of the SEA Directive have been transposed into Irish law by two pieces of legislation: the EC (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 - 2011 and the Planning and Development (Strategic Environmental Assessment) Regulations 2004.

The key stages of the SEA process, and the associated outputs required, comprise:

**Screening:** to determine the need or otherwise for SEA of the FRMPs. *Output = screening decision.*

**Scoping:** to identify the environmental issues relevant to the FRMPs and to establish the level of detail of the assessment. *Output = Scoping Report.*

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**Environmental assessment and evaluation** of the FRMPs: to identify, predict, evaluate and mitigate the potential impacts of reasonable alternatives considered in the FRMPs. *Output = Environmental Report.*

**Consultation, revision and adoption activities:** to undertake public consultation on the draft FRMPs and the SEA Environmental Report; to address issues raised during consultation and adoption in the final FRMPs; and to document the outcomes of the SEA process. *Output = SEA Statement (Post-Adoption of the Final Plan).*

**Post-adoption activities:** subsequent monitoring of environmental effects of the FRMPs during their implementation to ensure no unforeseen impacts arise and to inform future FRMP revisions and SEA of the FRMPs. *Output = Monitoring regime and reporting.*

## APPROPRIATE ASSESSMENT / HABITATS DIRECTIVE ASSESSMENT

Appropriate Assessment (AA), or Habitats Directive Assessment (HDA), is required under Article 6(3) of the EC Habitats Directive (92/43/EEC). The Directive was first incorporated into Irish law by the EC (Natural Habitats) Regulations (S.I. No. 94 of 1997) as amended. The EC (Birds and Natural Habitats) Regulations 2011 consolidate the EC (Natural Habitats) Regulations 1997 to 2005 and the EC (Birds and Natural Habitats)(Control of Recreational Activities) Regulations, 2010.

AA / HDA is a phased process which will ascertain if there are internationally important sites whose integrity could be significantly adversely affected by the implementation of the FRMPs. These internationally important sites include Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) which together form the Natura 2000 network of protected areas.

The key stages of the process, and the associated outputs required, comprise:

**Screening:** to determine the need or otherwise for AA / HDA of the FRMPs. *Output = screening decision.*

**Plan – level Appropriate Assessment:** considers whether the FRMPs, alone or in combination with other projects or plans, will have adverse effects on the integrity of a Natura 2000 site, and includes any mitigation measures necessary to avoid, reduce or offset negative effects. *Output = within Natura Impact Report.*

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**Alternative Solutions:** where negative effects are identified, this phase examines any alternative solutions or options that could enable the FRMPs to proceed without adverse effects on the integrity of a Natura 2000 site. *Output = within Natura Impact Report.*

**Imperative Reasons of Overriding Public Interest (IROPI):** the main derogation process which examines whether there are imperative reasons of overriding public interest (IROPI) for allowing FRMPs that will have adverse effects on the integrity of a Natura 2000 site to proceed in cases where it has been established that no less damaging alternative solution exists. Compensatory measures must be proposed and assessed. *Output = within Natura Impact Report.*