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National Broadband Plan – SEA/AA Public Consultation
National Broadband Plan Division
Department of Communications Climate Action and Environment
29-31 Adelaide Road
Dublin
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9th February 2018

Our Ref: SCP160402.2

Re: Strategic Environmental Assessment and Appropriate Assessment- National Broadband Plan Intervention Strategy

[REDACTED]
The Environmental Protection Agency (EPA) acknowledges your notice, dated 8th January 2018, regarding the above.

We acknowledge the overall ambition of the National Broadband Plan – Intervention Strategy (NBPIIS), the Strategy, to promote increased broadband in targeted areas with a view to achieving overall national targets.

We attach our previous submission at the SEA scoping stage of the Strategy process. The relevant aspects of this submission should also be reviewed to ensure they have been considered in the SEA process.

Regional Spatial Economic Strategies

It will be essential that the Strategy is embedded in the Regional Spatial Strategies currently in preparation through the inclusion of policies and objectives which support the role out of a robust and reliable broadband to our rural areas and communities and to our islands and island communities.

Observations on the Broadband Strategy and SEA Environmental Report

We note the range of the proposed Mitigation Measures included in *Section 10.1 - Mitigation Measures* of the SEA Environmental Report (ER).

Statutory Obligations

The specific national Regulations in relation to both the Habitats and Birds Directive should be specifically mentioned in the proposed Mitigation Measures and in the final Strategy.

In addition reference should also be made to obligations with respect to Water Framework Directive, related Regulations and the RBMP.

Advice and Support of Local Authorities

SCP160402.2 Submission National Broadband Plan Intervention Strategy

09.02.2018

09.02.2018

Consideration should be given to ensuring each broadband deployment area will have a spatially specific integrated Construction Environmental Management Plan (ICEMP). This should include measures, actions, monitoring, reporting and the criteria to be applied to determine the need for remedial action during construction and where relevant maintenance related activities. Provisions should also be included for oversight and reporting requirements related to the proposed ICEMP.

The ICEMP should reflect the deployment area specific aspects of the Best Practice Guidelines as described under Best Practice.

General Guidance and recommendations

The Guidance prepared under this section should be expanded into an ICEMP Guidance Manual in consultation with relevant statutory environmental authorities/ agencies. This Manual should be incorporated in the final Strategy.

NBIS Implementation Plan & High level Implementation Group

We recommend the preparation and publication of a Strategy Implementation Plan alongside the Strategy to set a clear pathway for the implementation and tracking of the delivery and achievement of the Vision and specific Strategy objectives in the final Strategy.

Ideally this should clearly set out the actions, targets, timeframes for implementation of the actions supporting the objectives/commitments and key elements in the final Strategy. The Implementation Plan should include provisions for annual reporting on implementation of the NBPIS commitments. It should also link the SEA-related monitoring obligations required under the SEA legislation.

To support the delivery of the proposed Implementation Plan, we recommend the establishment of a High Level Implementation Group, across the relevant government departments, Regional Assemblies and local; authorities and key relevant stakeholders.

The arrangements in place for the implementation of Food Wise 2025 (FW2025) and the Offshore Renewable Energy Development Plan (OREDPA) provide examples of existing successful approaches. For FW2025, a High Level Implementation Committee overseeing the implementation of the actions is chaired at ministerial level.

Integration of SEA in the BIS

It is not clear how the SEA process has informed the preparation of the strategy. This is in the context of the updated 2015 Strategy accompanying the SEA Environmental Report. In light of this, consideration should be given to the need for further consultation on the draft final Strategy prior to finalisation.

The final Strategy should include a section which clearly indicates how the SEA and the Appropriate Assessment have informed its preparation.

Environmental Monitoring of implementation of the NBPIS

The proposed monitoring of implementation of the NBPIS should be reflected in its entirety in the final Strategy.

Provisions for reporting on the proposed SEA Environmental Monitoring in Table 10-1 of the SEA ER should also be included in Strategy. Monitoring Reports should be made available on line along with a description of any remedial measures required during the implementation of the Strategy.

Future Modifications to the Draft BPIS

Where modifications to and /or reviews of the Strategy are proposed, these should be screened for potential for likely significant effects in accordance with the criteria set out in Schedule 1 of the SEA Regulations (S.I. No. 435 of 2004) and should be subject to the same method of assessment applied in the SEA process to date.

SEA Statement

Following adoption of the Strategy, an SEA Statement, should be prepared which summarises the following:

- How environmental considerations have been integrated into the Strategy;
- How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Strategy;
- The reasons for choosing the Strategy 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 Strategy.

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

Should you have any queries or require further information in relation to the above please contact the undersigned. I would be grateful if an acknowledgement of receipt of this submission could be sent electronically to the following address: sea@epa.ie.

Yours sincerely



National Broadband Plan - Intervention Strategy

██████████
National Broadband Plan SEA Scoping Report Public Consultation
Communications Policy and Regulation Division
Department of Communication, Energy and Natural Resources
29-31 Adelaide Road
Dublin
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20th May 2016

Our Ref: SCP160402.1

Re: National Broadband Plan –Intervention Strategy- SEA Scoping

██████████
The EPA acknowledges your correspondence, dated 22nd April 2016, in relation to the Strategic Environmental Assessment Scoping Report for the National Broadband Plan – Intervention Strategy, referred to hereafter as the “*Strategy*”.

We welcome the opportunity to make a submission at this stage of the Strategy preparation and SEA process. Attachment 1 includes specific observations on relevant sections of the Draft Scoping Report. Attachment 2 includes responses to the questions posed in Section 8.1 –*Terms of Reference for consultation*. Attachment 3 provides links to useful Environmental Resources. “Suggested High Level Plans/Programmes/Strategies (PPS) to Consider” are included in Attachment 4.

A number of national level plans are likely to be relevant in the context of the Strategy. These include:

- National Planning Framework (Due to commence)
- Regional Spatial Economic Strategies (Due to commence)
- Grid Implementation Plan Review (Due to commence)
- Ireland’s White Paper on Energy –Ireland’s Transition to a Low Carbon Energy Future
- National (Climate) Mitigation Plan (In preparation /SEA underway)
- CFRAMS Programme (Advanced stages of preparation/ SEA also underway)

See also Attachment 3 to this submission. A number of these Plans have previously been subjected to SEA and AA and some are due to commence preparation along with SEA. The relevant aspects of the adopted plans as well as the relevant findings of the SEA and AA should be taken into account in preparing the Strategy and in undertaking this SEA. This will be particularly relevant in the context of potential cumulative effects.

Geographic Scope

The description of the geographic scope should extend to include specific reference to offshore islands. There would be merits in considering the potential to apply the environmental assessment at regional scale for implementation of the Strategy.

In determining the scope of likely significant effects on the environment, consideration should be given to categorisation of the range of likely significant effects associated with the specific broadband technologies to be examined. This could also facilitate the identification of technology relevant and appropriate mitigation measures, protocols and environmental



management systems/ procedures to be required and implemented at construction, operation and maintenance stages. The commitments and associated Strategy implementation related activities should not conflict with key relevant environmental protection obligations.

Overall Governance and Implementation

Consideration could be given to including a specific section in the Strategy on Governance and Implementation along with relevant environmental commitments, monitoring reporting and follow up. Provisions should also be included for robust and transparent mechanisms to oversee the implementation of the Strategy and its associated objectives, key elements, and any related actions.

The inclusion of a specific commitment to establishing an advisory group to oversee and review the implementation of the Strategy should be considered. The inclusion of an environmental component to this group with the role of reviewing the implementation of relevant environmental commitments and associated reporting should also be considered.

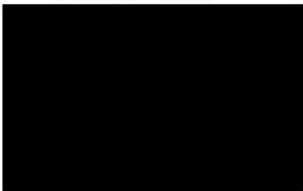
SEA Process and SEA Guidance

The SEA process should identify and assess any significant impacts likely to result from the implementation of the Strategy. The focus should be on addressing the key issues and related likely significant environmental effects. Where significant adverse effects on the environment are identified, specific mitigation measures and suitable environmental management systems to prevent reduce and as fully as possible offset these effects environment should be identified. These should be reflected as commitments in the Strategy. The positive effects likely to arise from implementation of the Strategy should also be assessed and highlighted.

The EPA has prepared a range of SEA Guidance resources including an SEA Scoping guidance document (updated regularly), an SEA Pack, SEA Process Checklist, SEA Spatial Information Sources and guidance on Integrating Climate Change into SEA, is available on the EPA website and should be considered in the preparation of the SEA. Recently published Guidance on Developing and Assessing Alternatives in SEA will also be relevant in the context of the Plan. These SEA resources can be consulted at: <http://www.epa.ie/pubs/advice/ea/>

We look forward to working with DCENR and the SEA team in the on-going preparation of the Strategy and the associated SEA process. Should you have any queries or require further information in relation to the above please contact the undersigned. I would be grateful if an acknowledgement of receipt of this submission could be sent electronically to the following address: sea@epa.ie.

Yours Sincerely



Senior Scientific Officer
SEA Section
Office of Environmental Assessment
Environmental Protection Agency
Regional Inspectorate
Inniscarra, County Cork



Attachment 1 Draft SEA Scoping Report – Specific observations

Timescale, duration and review provisions

The title of the Strategy should reflect the timescale for the 25 year implementation of the Strategy. The Strategy and the SEA should assess the effects associated with the temporary, short, medium and long term effects associated with the phased role out of the strategy. These should capture construction, operation and maintenance aspects of the Strategy.

Provisions should be included for a formal interim review of the Strategy at regular intervals. These reviews should review and report on the progress towards role out of broadband within the intervention Area. This should also include consideration of the outcome of SEA related environmental monitoring. Cross reference should be made to any contractual environmental management systems/ protocols in place for the installation of the selected preferred technology (ies). Provisions should be included to report on significant environmental issues which arise during construction and how these should be addressed and reflected, where appropriate, in subsequent implementation of the Strategy.

Section 5- Scope of the SEA

Section 5.3 Key Environmental Considerations arising from the Intervention Strategy

The recognition in the Strategy of the “*environmental benefits associated with the reuse of existing physical infrastructure as far as possible so that excavations or new build are kept to a minimum*”, are noted and welcome.

It is noted that included in the three technologies being considered is the installation of cables below ground into new trenches and the erection of additional mast sites or reuse of existing sites. There would be merits in considering the preparation of location guidance/ standards which should apply for new construct in both these technology infrastructure options.

The population and community benefits for businesses, communities and services in the Intervention Area following the introduction of broadband to the Intervention Area should be considered in the assessment.

Under the 3 technology options considered the potential for disturbance to agricultural land and related activities and communities during construction and maintenance phases should be included in the key potential negative effects associated with the implementation of the Strategy. In addition, potential accidental spillages associated with equipment and related fuel storage and the implications on soil and /or water quality and related habitats should also be considered. Where relevant, the reuse / disposal of material excavated during construction should also be considered.

Where cabling is being considered as a technology for offshore islands, though it is noted that this is highlighted as unlikely in the scoping report, coastal and marine environmental constraints and potential associated environmental effects will need to be considered.

Table 5.1 Scoping of SEA Issues

Biodiversity - consider including specific reference to water dependent ecosystems. In addition, ecological networks including hedgerows could be highlighted.

Population – community disturbance due to construction traffic.

Soil and Land Use – effects on agricultural land (including forestry) and related activities.

Material Assets –potential conflicts with critical infrastructure- water, waste water etc.



The requirement to consider inter relationships between the topics in Table 5-1 should also be reflected.

Section 5.4 - Parts of the Intervention Strategy to be assessed

For Chapter 6 - the consideration of further environmental objectives arising from the SEA and AA processes would reflect good practice in the context of integration of the Strategy and SEA/ AA process and outputs.

Section 7- Proposed Framework for assessing environmental effects

Section 7.1 – Consideration of Alternatives

Extent of the Intervention Area

The potential for regional Implementation Strategies / Sub Strategies to facilitate the roll out of the overall Strategy might be worth considering. This would facilitate more spatial analysis of environmental constraints. This approach, if applied, would need to be set in the context of SEA and AA requirements.

The phasing for implementation of the Strategy might also be an overall Strategy alternative to be considered.

Section 7.2 –Identification of Objectives

The objectives and assessment criteria should be contextualised with respect to the role of the Strategy and the potential for likely significant effects. The focus should be on avoiding adverse effects on the environment arising from the Strategy implementation.

An additional objective on Soil and agriculture should be considered. Objective 2 could capture community benefits.

SEA Workshops

Consideration should be given to convening workshop(s), along with relevant statutory authorities and key stakeholders, at key stages during the development of the Strategy and in undertaking the SEA. A key stage would include development and consideration of alternatives in the context of technologies and phasing.

Consultation- Transboundary

The relevant authority in Northern Ireland should, as appropriate, be consulted on the SEA process including at the Draft Strategy SEA Environmental Report stage.



Attachment 2 – Responses to Scoping Questions

Q.1 Other relevant Plans, Policies or Programmes

See Attachment 2.

Where SEA/ AA have been undertaken of relevant Plans/ Programmes the aspects related to the Strategy should be considered.

Q.2 Other significant information sources

See Attachment 3 to this submission: “*Some Useful Environmental Resources Planning Related Resources*”.

In addition, see SEA Spatial Information Sources - May 2015

<http://www.epa.ie/pubs/advice/ea/seaspatialinfomationsourcesmay2015.html#.VxpP9BuFPL>

[A](#)

Q.3 Do you agree with the list of potential significant effects identified and Q4. Are there any other issues which should be considered?

See Attachment 1 observations on *Section 5 - Scope of the SEA*.

Q.5 Draft SEA Objectives and Q.6 Targets and Indicators

See Attachment 1 - *Section 7.2 – Identification of Objectives*.

The Environmental Objectives should be linked to relevant measurable environmental Targets and Indicators. This could be incorporated as part of an overall environmental management system / protocol for all works associated with the implementation of the Strategy. The Strategy should include a commitment to report on the environmental performance of the Strategy implementation against the relevant Environmental Objectives, Targets and Indicators.

Q.6 Overall approach to alternatives

See observations in Attachment 1 - *Section 7.1 – Consideration of Alternatives*

See EPA publication on Developing and Assessing Alternatives in SEA

https://www.epa.ie/pubs/advice/ea/SEA-Alternatives-157-Published_web.pdf



Attachment 3: Some Useful Environmental Resources

Environmental Criteria	Selected Resources
State of Environment	http://www.epa.ie/irelandsenvironment
Surface Water	http://www.wfdireland.ie/index.html http://www.epa.ie/pubs/reports/water/waterqua/
Ground Water	http://j.mp/gsigroundwater http://www.epa.ie/downloads/pubs/water/ground/
Drinking Water	http://www.epa.ie/pubs/reports/water/drinking/
Waste Water	http://www.epa.ie/pubs/reports/water/wastewater/
Bathing Water	http://www.epa.ie/pubs/reports/water/bathing http://splash.epa.ie/#
Marine	http://www.marine.ie/Home/site-area/home/home
Biodiversity	http://www.npws.ie/guidance-appropriate-assessment-planning-authorities http://www.npws.ie/publications http://maps.biodiversityireland.ie/#/Home
Flood Prevention and Management	www.floodmaps.ie www.cfram.ie
Air	http://www.epa.ie/pubs/reports/air/quality/
Climate	http://www.environ.ie/en/Environment/Atmosphere/ClimateChange/ http://www.epa.ie/pubs/reports/research/climate/
Waste Management	http://www.epa.ie/pubs/reports/waste/
Radon	http://www.epa.ie/radiation/radonmap
Energy Conservation	www.sei.ie
Landscape Character Assessment	http://www.heritagecouncil.ie/
Geology / Geomorphology	http://www.gsi.ie/Mapping.htm
Transportation	https://www.nationaltransport.ie/planning-policy/ http://www.nra.ie/environment/
SEA	www.edenireland.ie (SEAGIS Reporting Tool) http://www.epa.ie/pubs/advice/ea/
EIA	http://www.environ.ie/en/DevelopmentHousing/PlanningDevelopment/EnvironmentalAssesment/EIASEAGuidance



Attachment 3 ctd. Some Useful Planning Related Resources

Environmental Criteria	Selected Resources
Spatial Planning GIS	www.myplan.ie
DECLG Guidelines / Legislation	http://www.environ.ie/en/DevelopmentHousing/PlanningDevelopment/Planning/
Flood Risk	www.cfram.ie www.floodmaps.ie



Attachment 4: Suggested High Level Plans/Programmes/Strategies (PPS) to Consider*

Environmental Criteria	Suggested High Level Plans/Programmes/Strategies (PPS)
National	<ul style="list-style-type: none"> - National Planning Framework – to commence (DECLG) - Rural Development Programme (DECLG) - National CFRAMS Programme (DECLG) - Grid 25 Implementation Programme 2011 -2016 (EIRGRID) - GRID IP Review - To commence (EIRGRID) - Food Wise 2025 and Implementation Plan (DAFM) - National Forestry Programme / Forestry Policy Review (DAFM) - National Broadband Plan (DCENR) - National Landscape Strategy (DAHG) - Wild Atlantic Way Operational Programme 2015-2019 - National Peatland Strategy (DAHG) - Raised Bogs SAC Management Plan (DAHG) - NHA Review (DAHG) - National Biodiversity Plan (DAHG) - National Landscape Strategy - National (Climate)Mitigations Plan – in preparation along with SEA (DECLG) - Sectoral Climate Change Adaptation Strategies - State of the Environment Report 2012 (EPA)
Regional	<ul style="list-style-type: none"> - Regional Spatial and Economic Strategies –to commence (Regional Assemblies) - Regional Planning Guidelines - River Basin Management Plans (and Programme of Measures) - CFRAMS and associated Flood Risk Management Plans (Advanced stages of preparation) - Draft Freshwater Pearl Mussel Sub-basin Management Plans - Forestry and Freshwater Pearl Mussel Plan (DAFM, in preparation) - Regional Waste Management Plans - Shannon Integrated Framework Plan (SIFP) - County Development Plans including Landscape Character Assessments (where available) - County Renewable Energy / Wind Energy Strategies /Tourism Strategies

Note: *DCENR should consider and identify key relevant PPS in the SEA. List of Plans is indicative only and some may not always be relevant to a particular plan.