



SOUTH WESTERN CATCHMENT FLOOD RISK ASSESSMENT AND MANAGEMENT STUDY – UoM19 LEE, CORK HARBOUR & YOUGHAL BAY RIVER BASIN STRATEGIC ENVIRONMENTAL ASSESSMENT & NATURA IMPACT ASSESSMENT REVIEW

JANUARY 2018

SOUTH WESTERN CATCHMENT FLOOD RISK ASSESSMENT AND MANAGEMENT STUDY – UoM19 LEE, CORK HARBOUR & YOUGHAL BAY RIVER BASIN STRATEGIC ENVIRONMENTAL ASSESSMENT & NATURA IMPACT ASSESSMENT REVIEW

User is Responsible for Checking the Revision Status of This Document

Rev. No.	Description of Changes	Prepared by:	Checked by:	Approved by:	Date:
1	Issue to Client	JH/EH/MG	JK	JH	19.01.2018

Client: Department of Public Expenditure and Reform

Keywords: *Review of Flood Risk Management Plan; Environmental Reports; Strategic Environmental Assessment Statement and; Natura Impact Statement*

Abstract: Fehily Timoney & Company carries out a review of the Environmental Reports, Strategic Environmental Assessment Statement and Natura Impact Statement to assist the Minister to conclude whether the FRMP will adversely affect the integrity of a Natura Site/Sites and if significant effects on the environment are likely to occur.

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1 INTRODUCTION

This document has been prepared by Fehily Timoney & Company on behalf of the Department of Public Expenditure and Reform to review the SEA and AA reports for the Lee, Cork Harbour & Youghal Bay River Basin Flood Risk Management Plan (UoM19) as part of the South Western CFRAM study, such that the Department of Public Expenditure and Reform may be in a position to recommend to the Minister on the adequacy/compliance, or otherwise, of the SEA and AA submitted by the OPW for approval. The approval process will provide for a separate and independent review of the plans undertaken to inform the Minister as to the adequacy/compliance, or otherwise, of the plans.

In considering the Lee, Cork Harbour & Youghal Bay River Basin Strategic Environmental Assessment and Appropriate Assessment the following documents were reviewed;

Draft Flood Risk Management Plan

Strategic Environmental Assessment - Environmental Report

Strategic Environmental Assessment - Statement

Appropriate Assessment Screening Report

In assessing these documents, a report was produced to determine if the procedures and statutory obligations set out in the relevant environmental regulations have been fully complied with; if all relevant environmental considerations have been duly and effectively assessed; if the FRMP will adversely affect the integrity of a Natura Site/Sites and if significant effects on the environment are likely to occur.

This document is presented in a number of checklists having regard to the EPA guidelines as derived from the SEA Directive (2001/42/EC), the EU Habitats Directive (92/43/EEC) and the Birds Directive as amended (2009/147/EC).

Table 1: AA SCREENING

AA Screening				
Minimum Requirements				
	Question	Yes	No	Comment
1.1	Is the statutory basis for AA set out?	Yes		Detailed in section 2.1.
1.2	Is methodology in line with DEHLG (2009); EC (2001 and 2002)?	Yes		Detailed in section 2.4.
1.3.1	Is there a desk based assessment?	Yes		Data sources set out in section 2.4.
1.3.2	Is there a field-based assessment?		No	No field assessment outlined.
1.4	Does the project description adequately describe the project?	Yes		Detailed in section 3.
1.5	Is there a clear figure of the site location and proposed plan?	Yes		Figure 3.3 shows the extent of UoM19, watercourses and the location of AFAs. Further figures are set out in Appendix A.
1.6	Has consultation with NPWS / DAU taken place?	Yes		National workshop on Appropriate Assessment of FRMPs held between OPW, consultants and NPWS in Jan 2015. Set out in section 2.5.
1.7	Have all European Sites been considered within 15km of the project?	Yes		Detailed in table 4.1.
1.8	Are there any European Sites at a greater distance than 15km ecologically connected to the project?		No	No viable source pathway receptors have been identified.
1.9	Are figures included illustrating the project in relation to European Sites?	Yes		Figures 4.1, 4.2 & 4.3 illustrate AFAs in relation to European Sites.
1.10	Is there a clear identification of which European Sites are being considered in the assessment?	Yes		The sites which are assessed for impact are clearly outlined in section 4.

AA Screening				
Minimum Requirements				
	Question	Yes	No	Comment
1.11	Is the screening of each European Site out/in adequately described?	Yes		Set out in Section 6.
1.12	Are the conservation objectives for the relevant European Sites set out?	Yes		Qualifying features are mentioned in section 4.
1.13	Has the following screening matrix been fulfilled in text or table format?			
1.13.1	<i>Is there a brief description of project or plan?</i>	Yes		Screening matrix set out in table 6.1.
1.13.2	<i>Is there a brief description of the Natura 2000 (European) Site(s)?</i>	Yes		Table 6.1.
1.13.3	<i>Is there a description of any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 site by virtue of?</i>	Yes		Table 6.1.
	<ul style="list-style-type: none"> • Size and scale; 			
	<ul style="list-style-type: none"> • Land-take; 			
	<ul style="list-style-type: none"> • Distance from Natura 2000 site or key features of the site; 			
	<ul style="list-style-type: none"> • Resource requirements; 			
	<ul style="list-style-type: none"> • Emissions; 			
	<ul style="list-style-type: none"> • Excavation requirements; 			
	<ul style="list-style-type: none"> • Transportation requirements; 			
	<ul style="list-style-type: none"> • Duration of construction, operation etc.; 			
	<ul style="list-style-type: none"> • Other. 			

AA Screening				
Minimum Requirements				
	Question	Yes	No	Comment
1.13.4	<i>Is there a description of the likely changes to the site arising as a result of?</i>	Yes		Table 6.1.
	<ul style="list-style-type: none"> • Reduction of habitat area; 			
	<ul style="list-style-type: none"> • Disturbance of key species; 			
	<ul style="list-style-type: none"> • Habitat or species fragmentation; 			
	<ul style="list-style-type: none"> • Reduction in species density; 			
	<ul style="list-style-type: none"> • Changes in key indicators of conservation value; 			
	Climate change.			
1.13.5	<i>Is there a description of any likely impacts on the Natura 2000 site as a whole in terms of?</i>	Yes		Table 6.1.
	<ul style="list-style-type: none"> • Interference with the key relationships that define the structure of the site; 			
	<ul style="list-style-type: none"> • Interference with key relationships that define the function of the site. 			
1.13.6	<i>Are indicators of significance provided as a result of the identification of effects set out above in terms of:</i>	Yes		No significant impacts are predicted; therefore, no indicators are required.
	<ul style="list-style-type: none"> • loss, 			
	<ul style="list-style-type: none"> • fragmentation, 			
	<ul style="list-style-type: none"> • disruption, 			
	<ul style="list-style-type: none"> • disturbance, 			
	<ul style="list-style-type: none"> • change to key elements of the site (e.g. water quality etc.). 			

AA Screening				
Minimum Requirements				
	Question	Yes	No	Comment
1.13.7	<i>Is there a description from the above, those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale of magnitude of impacts is not known?</i>		No	Not required as a conclusion of no significant impacts is drawn.
1.14	Have other plans or projects in the vicinity been identified?	Yes		Detailed in section 4.3.2.
1.15	Have cumulative effects been assessed?	Yes		Detailed in section 4.3.2.
1.16	Has a FONSE Matrix been completed for screened out European Sites, including the following:	Yes		Table 6.2.
1.16.1	<i>Name and location of the Natura 2000 sites</i>			
1.16.2	<i>Description of the project or plan</i>			
1.16.3	<i>Is the Project or Plan directly connected with or necessary to the management of the site (provide details)?</i>			
1.16.4	<i>Are there other projects or plans that together with the project of plan being assessed could affect the site (provide details)?</i>			
1.16.5	<i>Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site</i>			
1.16.6	<i>Explain why these effects are not considered significant</i>			
1.16.7	<i>Who carried out the assessment</i>			
1.16.8	<i>Sources of Data</i>			
1.17	Are the reasons for proceeding to Stage 2 clearly explained?		No	NIS is not considered to be required as no significant impacts have been predicted.

Table 2: NATURA IMPACT STATEMENT

Natura Impact Statement				
Minimum Requirements				
	Question	Yes	No	Comment
2.1	Does the plan description adequately describe the plan?			N/A
2.2	Are the conservation objectives detailed?			N/A
2.3	Is there an adequate description of how the project will affect key species and key habitats?			N/A
2.4	Are there any uncertainties or gaps in information?			N/A
2.5	Is the effect of the project on the integrity of the European Sites adequately assessed (determined by structure and function and conservation objectives) *check desktop data to ensure all elements have been addressed			N/A
2.6	Are mitigation measures described to avoid, reduce or remedy effects?			N/A
2.7	For each mitigation measure are the following details given:			N/A
2.7.1	<i>How the measures will avoid adverse effects on site integrity;</i>			
2.7.2	<i>How the measures will reduce the adverse effects on site integrity;</i>			

Natura Impact Statement				
Minimum Requirements				
	Question	Yes	No	Comment
2.7.3	<i>Evidence of how the measures will be implemented and by whom;</i>			
2.7.4	<i>Evidence of the degree of confidence in their likely success;</i>			
2.7.5	<i>A timescale, relative to the project, of when they will be implemented;</i>			
2.7.6	<i>Details of monitoring scheme and how mitigation failure will be addressed</i>			
2.8	Has consultation with NPWS / DAU taken place?			N/A
2.9	Are there any significant impacts predicted?			N/A

Table 3: SEA SCREENING

SECTION 1 SEA SCREENING					
	Question	Yes	No	Comment	Statutory Basis
1.1	In reaching a determination of the requirement for SEA, have the criteria set out in Annex 1 of the SEA Directive and Schedule 2A of S.I. 436 or Schedule 1 of S.I. 435 been taken into account?	Yes		Determination was made at pre-screening stage and assessed further against criteria. Detailed in Screening Report.	SEA Directive Annex 1 (2001), Schedule 2A S.I. 436 (2004), Schedule 1 of S.I. 435 (2004)
1.2	Has a determination been made, in consultation with the DoEHLG, regarding the requirement for an appropriate assessment in accordance with the Habitats Directive?	Yes		Section 1.5 of AA states compliance with Article 6(3) of 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?	Yes		Section 5.2 of Screening Report states compliance.	SEA Directive Article 3(6)/6(3), S.I. 435 (2004)
1.4	Has the relevant statutory authority made available for public inspection a copy of its determination on the requirement for SEA?	Yes		Made available on South West CFRAM Website.	S.I. 435 (2004)
1.5	Does the screening determination clearly state whether SEA is required or not, who has made the decision and when?	Yes		Section 3.3.2 of ER states determination, OPW, 2011.	

	Question	Yes	No	Comment	Statutory Basis
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 and Schedule 1 of S.I. 435?		No	P/P has not been screened out of SEA.	
1.7	Has a description been provided in the ER of the screening process and subsequent determination?	Yes		Section 3.3.2 of ER.	

Table 4: SCOPING

SECTION 2 SCOPING					
	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?	Yes		Section 2.3 of the Scoping Report (available from the South West CFRAM website) states compliance.	SEA Directive Article 5(4)
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 and S.I. 436? If not, have reasons for eliminating issues from further consideration been documented?	Yes		All relevant information is held within the text of the ER.	
2.3	Has informal preliminary scoping taken place with the designated authorities prior to the commencement of the P/P making process?	Yes		Section 2.3 of Scoping Report states compliance.	Guidelines for Regional Authorities & Planning Authorities: Implementation of SEA Directives Section 3.14
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?	Yes		Section 2.3 of Scoping Report states compliance.	

	Question	Yes	No	Comment	Statutory Basis
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?	Yes		Adjoining authorities have been consulted. Section 2.3 of Scoping Report.	
2.6	As part of the scoping exercise, have the designated authorities been given an outline of: a) the geographical area involved (including a referenced and scaled map of the area) b) the nature of the plan and its intended lifespan c) the likely scale, nature and location of development within the area during the life of the plan (in broad terms) d) the predicted significant effects of this development	Yes		Section 2.3 of scoping report.	Guidelines for Regional Authorities & Planning Authorities: Implementation of SEA Directives Section 3.17
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?	Yes		Available from the South West CFRAM website. Issues detailed within report.	Guidelines for Regional Authorities & Planning Authorities: Implementation of SEA Directives Section 3.16
2.8	Does the scoping report reflect the size/level of detail in the P/P?	Yes		The scoping report appropriately reflects the size/level of detail of 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?	Yes		Scoping report is thorough.	

	Question	Yes	No	Comment	Statutory Basis
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?		No	n/a	
2.11	Have the public and other interested bodies been identified and consulted at the scoping stage?	Yes		Section 2.3 of scoping report details consultation at scoping stage.	
2.12	Have the teams responsible for the preparation of the P/P and the ER been involved in the scoping exercise?	Yes		These teams were responsible for the preparation of the scoping exercise.	
2.13	Have the responses to the scoping exercises been included in the Scoping Report?	Yes		Consultation responses are detailed in section 2.3 of scoping report.	
2.14	Has the Scoping Report been made public?	Yes		Scoping report is available from the South West CFRAM website.	
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?	Yes		Section 4 of Scoping Report sets out key environmental issues for the CFRAM. Scoping Report: Annex V details more specific issues for the UoM.	Habitats Directive Article 6

Table 5: CONSULTATION

SECTION 3 CONSULTATION					
	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?	Yes		Section 4.4.5 of FRMP states compliance.	SEA Directive Article 6(1) & 6(3)
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?	Yes		Section 4.4.5 states compliance with statutory time frames for consultation.	SEA Directive Article 6(2) & 6(4)
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?	Yes		Section 6.1 of FRMP states compliance.	Sea Directive Article 8
3.4	Where relevant, has a copy of the Draft P/P and the ER been forwarded to other Member States before its adoption?		No	n/a	SEA Directive Article 7
3.5	Where relevant, have the Member States been given a reasonable time frame to respond to the draft P/P and ER?		No	n/a	
3.6	Have the opinions expressed by other Member States during transboundary consultation been taken into account?		No	n/a	SEA Directive Article 7
3.7	Has a description of the outcome of all consultations (including transboundary) been documented in the ER?	Yes		Section 4 of the ER details consultation and section 3 of SEA Statement details how consultation responses have been considered. Appendix A of SEA statement summarises submissions.	

	Question	Yes	No	Comment	Statutory Basis
3.8	Where a consultation recommendation has not been taken on board, has an explanation been provided of why?	Yes		Appendix A of the SEA Statement details the actions taken in response to consultations recommendations.	
3.9	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?	n/a	n/a	n/a	
3.10	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?	Yes		Adjoining authorities have been consulted. Consultees listed in section 4.5 of ER.	

Table 6: DESCRIPTION

SECTION 4 Plan Description					
	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?	Yes		Section 1.7 of ER sets out structure. Overarching objectives are stated in section 1.3 with more detail in table 2.3. Environmental objectives are set out in section 7.3 of ER.	SEA Directive Article 5 Annex 1(a)
4.2	Has information been provided on the relationship of the P/P with other relevant P/Ps?	Yes		Section 5 of the ER sets out relationships with other plans, policies and programmes.	SEA Directive Article 5 Annex 1(a)
4.3	Has a referenced and scaled map illustrating the geographical extend of the P/P area been included in the ER?	Yes		Figure 1.1 (section 1.4 of 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?	Yes		Identified in table 5.1 (section 5.2 of ER).	
4.5	Has the zone of influence of the P/P been described appropriately?		No	Each UoM of the national CFRAM study will receive its own SEA therefore the zone of influence is not thought to be relevant.	
4.6	Has the potential for transboundary effects of the plan been identified?	n/a	n/a	n/a	

Table 7: EXISTING ENVIRONMENT

SECTION 5 EXISTING ENVIRONMENT							
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?						
Environmental Receptors	A	B	C	D	E	F	Comment
Biodiversity, flora and fauna	x	x	x	x	o	o	Section 6.7 of ER.
Water (surface, ground, estuarine and coastal)	x	x	x	x	o	o	Section 6.5 of ER.
Soil	x	x	x	x	o	o	Section 6.3 of ER.
Landscape	x	x	x	x	o	o	Section 6.10 of ER.
Cultural Heritage	x	x	x	x	o	o	Section 6.4 of ER.
Population	x	x	x	x	o	o	Section 6.2 of ER.
Human Health	x	x	x	x	o	o	Section 6.2 of ER.
Air	x	x	x	x	o	o	Section 6.6 of ER.
Climatic Factors	x	x	x	x	o	o	Section 6.6 of ER.
Material Assets	x	x	x	x	o	o	Section 6.11 of ER.
Interrelationships	x	x	x	o	o	o	Section 6.12 of ER.
Fisheries	x	x	x	x	o	o	Section 6.9 of ER.

SECTION 5 EXISTING ENVIRONMENT								
Tourism and Recreation		x	x	x	x	o	o	Section 6.8 of ER.
	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?	Yes		Identified in section 3.7 of ER.	SEA Directive Article 5 Annex 1			
5.3	Does the relevant current state of the environment (baseline), as described, reflect: a) the availability of data? b) The size and level of detail of the P/P?	Yes		A wide range of data was included in the baseline description which adequately reflects the large scale of the UoM.				
5.4	Have trends for key environmental receptors been presented and described using appropriate environmental data?	Yes		Key receptors are referred to where relevant.				
5.5	What sources of environmental data and/or environmental information systems (e.g. GIS) have been used?			Section 12 lists references to data sources. Also detailed throughout section 6.				

	Question	Yes	No	Comment	Statutory Basis
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.?	Yes		Table 7.1 details environmental objectives that were influenced by environmental problems.	

Table 8: OBJECTIVES, TARGETS AND INDICATORS

SECTION 6 OBJECTIVES, TARGETS AND INDICATORS					
	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?	Yes		Table 5.1 identifies legislation, plans, policies and programs which influenced the objectives of table 7.1.	SEA Directive Article 5 Annex 1
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?	Yes		Section 2 of the SEA statement describes how environmental considerations were integrated into the FRMP.	SEA Directive Article 5 Annex 1
6.3	Are the proposed environmental objectives linked to appropriate targets and indicators?	Yes		Table 7.1 of ER links objectives to indicators.	
6.4	In relation to environmental targets; (a) have limits or thresholds been established where appropriate? (b) have timescales been set where appropriate?	Yes		Aspirational targets are set out in table 7.1. Timescales have not indicated at strategic level.	

	Question	Yes	No	Comment	Statutory Basis
6.5	<p>Are the environmental indicators capable of the following:</p> <ul style="list-style-type: none"> describing trends in the baseline environment? demonstrating the likely significant environmental impact(s) of the implementation of the P/P? being used in a monitoring programme? providing an early warning of significant unforeseen adverse effects? prioritising key environmental impact(s)? is the number of environmental indicators manageable, in terms of time and resources? 	Yes		Cannot provide early warning.	
6.6	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	Y	n	Y	Table 7.1 of ER
	Water (surface, ground, estuarine and coastal)	n	n	Y	
	Soil	n	n	n	n/a
	Landscape	n	n	Y	
	Cultural Heritage	n	n	Y	
	Population	n	n	Y	
	Human Health	n	n	Y	
	Air	n	n	n	n/a
	Climatic Factors	n	n	n	n/a
	Material Assets	n	n	Y	
	Fisheries	n	n	Y	
	Tourism and Recreation	n	n	Y	

	Question	Yes	No	Comment	Statutory Basis
	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				

Table 9: CONSIDERATION OF ALTERNATIVES

SECTION 7 CONSIDERATION OF ALTERNATIVES					
	Question	Yes	No	Comment	Statutory Basis
7.1	Have 'reasonable alternatives' been identified and described?	Yes		Section 8 of ER details alternatives.	SEA Directive Article 5 Annex 1
7.2	Have the reasons for selecting (a) the alternatives and (b) the preferred alternative been provided?	Yes		Set out in section 9.7 of ER.	SEA Directive Article 5 / Article 9 Annex 1
7.3	Has a description of how the assessment of alternatives was undertaken been provided?	Yes		Section 3.3.4 of ER describes method.	SEA Directive Article 5 Annex 1
7.4	Are the potential alternatives proposed assessed against the relevant environmental objectives and against each other?	Yes		Section 8 of ER, under the Environmental Assessment of each AFA.	
7.5	Has a clear explanation been given of the likely significant environmental effects of each alternative?	Yes		Section 8 of ER in relation to AFAs.	
7.6	Has clear written justification been given for the choice of the preferred alternative?	Yes		Section 8 of ER, under the Preferred Flood Risk Management Option for each AFA.	
7.7	Do the alternatives considered reflect the objectives and hierarchy of the P/P?	Yes		Alternatives are in line with objectives.	

Table 10: SIGNIFICANT EFFECTS ON THE ENVIRONMENT

SECTION 8 LIKELY SIGNIFICANT EFFECTS ON THE ENVIRONMENT					
	Question	Yes	No	Comment	Statutory Basis
8.1	Are the likely significant effects on the environment described?	Yes		Significant effects on environment are described throughout section 8 in relation to topics set out in the SEA Directive Article 5 Annex I (f).	SEA Directive Article 5 Annex I (f)
8.2	Are significant effects described in relation to: - current environmental conditions - relevant environmental standards and thresholds	Yes		Section 8 of ER sets out effects on AFAs.	
8.3	Are appropriate impact prediction methods used, and, are impacts quantified where relevant?	Yes		Section 8 of ER sets out impacts with a scoring matrix.	
8.4	Have the methods used for impact prediction been described?	Yes		Impact prediction methods are set out in section 8 of ER.	

Table 11: MITIGATION MEASURES

SECTION 9 MITIGATION MEASURES					
	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?	Yes		Detailed in section 10 of ER.	SEA Directive Article 5 Annex 1
9.2	Have the proposed mitigation measures been incorporated into the P/P?	Yes		Detailed in section 6.6.3 of FRMP.	
9.3	Have the proposed mitigation measures been linked, where appropriate, to specific relevant significant environmental effects?	Yes		Detailed in table 10.1 of ER.	
9.4	Has an explanation been provided where mitigation of significant adverse effects is not proposed?		No	n/a	
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?	Yes		Detailed in section 10 of ER.	
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?	Yes		Proposals are adequate at strategic level. More detail to be provided at project level.	

	Question	Yes	No	Comment	Statutory Basis
9.7	Is a description provided of any likely post mitigation residual impacts included?		n/a	Not detailed at strategic level.	
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?	n/a	n/a	n/a	

Table 12: MONITORING PROGRAMME

SECTION 10 MONITORING PROGRAMME					
	Question	Yes	No	Comment	Statutory Basis
10.1	Has a monitoring programme of significant environmental effects of implementing the P/P been described?	Yes		Proposed monitoring for AFAs is set out in section 10.2 of ER.	SEA directive Article 10 Annex 1, S.I. Nos 435 & 436 (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?	Yes		Section 10.2 of ER relates indicators to mitigation and monitoring proposals in order to identify unforeseen adverse effects.	SEA directive Article 10 Annex 1, S.I. Nos 435 & 436 (2004)
10.3	Have thresholds / trigger levels been assigned which will determine the need for appropriate remedial action?	Yes		Table 10.1, 10.2 & 10.3, indicators. More detail to be provided at project level.	SEA Directive Article 10 Annex 1, S.I. Nos 435 & 436 (2004)
10.4	Are responsibilities for carrying out the monitoring programme clearly defined?	Yes		Section 10.2 states several organisations that undertake monitoring.	Planning Guidelines for SEA section 7.7

	Question	Yes	No	Comment	Statutory Basis
10.5	Are responsibilities for responding to any significant negative environmental effects of implementation of the P/P clearly defined?	Yes		It is noted that a Government Structure is in place whereby further EIA & AA study will be carried out at project level.	
10.6	Are responsibilities for identifying and responding to unforeseen adverse effects of implementation of the P/P clearly defined?	Yes		This will be addressed through project level EIA & AA.	
10.7	Has the frequency of monitoring been specified in the monitoring programme?	Yes		Section 10.1.2 of ER sets out timeframe.	
10.8	Has the frequency of reporting on the results of the monitoring programme been specified?	Yes		Section 10.1.2 of ER sets out timeframe.	
10.9	Does the monitoring programme address significant gaps identified in the baseline data?	Yes		The program does not set out gaps at this stage but aims to identify gaps as well as unforeseen effects to the environment.	Planning Guidelines for SEA section 7.4
10.10	Does the monitoring programme utilise existing monitoring arrangements where appropriate?	Yes		Section 10.2 refers to existing monitoring programs that will be used as a baseline for monitoring FRMPs.	
10.11	Does the monitoring programme include provision for the ongoing review of environmental targets and indicators?	Yes		Monitoring is set out to be completed in an ongoing manner.	
10.12	Has provision been made to produce regular monitoring reports during the time period of the P/P?	Yes		Section 10.2 states that monitoring will be completed before, during and after scheme development. Further information to be provided at project level.	

	Question	Yes	No	Comment	Statutory Basis
10.13	Does the monitoring programme address transboundary effects, if any?		No	n/a	
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?		None	Not set out at strategic level. Information to be provided at project level.	

Table 13: ENVIRONMENTAL REPORT AND NON-TECHNICAL SUMMARY

SECTION 11 ENVIRONMENTAL REPORT AND NON-TECHNICAL SUMMARY					
	Question	Yes	No	Comment	Statutory Basis
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?	Yes			SEA Directive Article 5 Annex 1
11.2	Does the ER include a non-technical summary?	Yes			SEA Directive Article 5 Annex 1
11.3	Does the non-technical summary clearly summarise the following:				SEA Directive Article 5 Annex 1
	a) Contents & Main Objectives of the draft P/P	Yes			
	b) Current state of the environment and evolution	Yes			
	c) Environmental characteristics of area significantly affected	Yes			
	d) Existing environmental problems	Yes			
	e) Environmental protection objectives	Yes			
	f) Significant effects on the environment	Yes			
	g) Mitigation Measures	Yes			

	Question	Yes	No	Comment	Statutory Basis
	h) Alternatives	Yes			
	i) Monitoring	Yes			
11.4	Has a description been provided in the ER of the screening process and subsequent determination?	Yes		Screening process set out in section 3.3.2. Further detail available in Screening Report.	
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?	Yes		Referred to in section 4.4.3 of ER. Responses are not listed.	
11.6	Is the non-technical summary concise and easy to understand?	Yes			Planning guidelines on SEA section 4.41
11.7	Has a description of the outcome of all consultations (including transboundary) been documented in the ER?	Yes		Section 4 of ER details stakeholder and public consultation.	
11.8	Have relevant references, glossary of terms and scaled maps (with source identified) been included?	Yes			

2 CONCLUSION

Fehily Timoney & Company were appointed to review the environmental assessment and compile a report on each Flood Risk Management Plan. This report determines that the procedures and statutory obligations set out in the relevant environmental regulations, including but not limited to SI Nos. 477 of 2001 and 435 of 2004 and any relevant amending regulations have been fully complied with.

All relevant environmental considerations have been duly and effectively assessed. It is in order for the Minister to decide that the Flood Risk Management Plan will not adversely affect the integrity of Natura Sites and the plans are not likely to have significant effects on the environment.