



EASTERN CATCHMENT FLOOD RISK ASSESSMENT AND MANAGEMENT STUDY – UoM08 - NANNY – DELVIN RIVER BASIN STRATEGIC ENVIRONMENTAL ASSESSMENT & NATURA IMPACT ASSESSMENT REVIEW

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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 Nanny – Delvin River Basin Flood Risk Management Plan (UoM08) as part of the Eastern 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 Nanny – Delvin River Basin Strategic Environmental Assessment and Appropriate Assessment the following documents were reviewed:

Draft Flood Risk Management Plan
Strategic Environmental Assessment – Screening Report
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		Stated in section 1.1 of AA Screening document.
1.2	Is methodology in line with DEHLG (2009); EC (2001 and 2002)?	Yes		Set out in section 2.
1.3.1	Is there a desk based assessment?	Yes		Described in section 4.
1.3.2	Is there a field-based assessment?		No	Not considered necessary as no physical measures are set out.
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 3.1.
1.6	Has consultation with NPWS / DAU taken place?		No	No actual communication is mentioned; however, guidelines have been consulted and adhered to.
1.7	Have all European Sites been considered within 15km of the project?	Yes		Detailed in section 4.2.
1.8	Are there any European Sites at a greater distance than 15km ecologically connected to the project?		No	Section 4.2 states that it is considered highly unlikely.
1.9	Are figures included illustrating the project in relation to European Sites?	Yes		Illustrated in figure 4.1.
1.10	Is there a clear identification of which European Sites are being considered in the assessment?	Yes		Set out in table 4.1.
1.11	Is the screening of each European Site out/in adequately described?	yes		Table 4.1 adequately describes European sites.

AA Screening				
Minimum Requirements				
	Question	Yes	No	Comment
1.12	Are the conservation objectives for the relevant European Sites set out?	Yes		Objectives are referred to but not listed.
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		Table 3.1 sets out measures.
1.13.2	<i>Is there a brief description of the Natura 2000 (European) Site(s)?</i>	Yes		Table 4.1 describes Natura 2000 sites.
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 4.1 sets out potential for significant impacts on Natura 2000 sites.
	<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. 			
1.13.4	<i>Is there a description of any likely changes to the site arising as a result of?</i>	Yes		Discussed throughout table 4.1, however, no major changes are considered likely.
	<ul style="list-style-type: none"> Reduction of habitat area; 			

AA Screening				
Minimum Requirements				
	Question	Yes	No	Comment
	<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		Discussed throughout table 4.1. In relation to Natura 2000 sites, it was concluded that there will be no likely significant effects.
	<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>		No	No indicators are set out as there are no likely significant effects to the listed sites.
	<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.). 			
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	No significant impacts identified.

AA Screening				
Minimum Requirements				
	Question	Yes	No	Comment
1.14	Have other plans or projects in the vicinity been identified?	Yes		Section 4.3 sets out other plans, programmes and projects.
1.15	Have cumulative effects been assessed?	Yes		Table 4.2 sets out potential cumulative and in-combination effects with other plans, programmes and projects.
1.16	Has a FONSE Matrix been completed for screened out European Sites, including the following:		No	A formal matrix has not been created for each screened out site, but screening out has been well justified in table 4.1 in relation to each Natura site.
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	Yes		Section 5 sets out concluding remarks on why stage 2 will not occur for the Nanny-Delvin FRMP study.

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	N/A Note: NIS not required for this P/P.
2.2	Are the conservation objectives detailed		N/A	N/A
2.3	Is there an adequate description of how the project will affect key species and key habitats		N/A	N/A
2.4	Are there any uncertainties or gaps in information		N/A	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	N/A
2.6	Are mitigation measures described to avoid, reduce or remedy effects		N/A	N/A
2.7	For each mitigation measure are the following details given:		N/A	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	N/A
2.9	Are there any significant impacts predicted?		N/A	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		Detailed throughout the Nanny-Delvin Strategic Environmental Assessment Screening Report.	SEA Directive Annex I (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 5.1.1 of Screening Report states that further appropriate assessment to be carried out at project level. Also noted in section 2 of the AA report.	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		Detailed in section 5 of Screening Report.	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		Stated in section 6.3 of FRMP however no evidence is presented of whether determination was made available to the public.	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		Determination is clearly stated in the SEA Screening Report.	

Section 1

	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?	Yes		It has been clearly demonstrated in the SEA Screening Report that the P/P does not require SEA.	
1.7	Has a description been provided in the ER of the screening process and subsequent determination?		N/A	N/A	

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?		N/A	N/A Note: It was demonstrated that SEA was not required, however, the scoping process took place for the entire East CFRAM area.	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?		N/A	N/A	
2.3	Has informal preliminary scoping taken place with the designated authorities prior to the commencement of the P/P making process?	Yes		Consultation is detailed in section 4 of the FRMP.	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 6.1 of the Scoping Report details a workshop that took place in January 2012 with a number of statutory and non-statutory consultees from a wide range of organisations. Available from the East CFRAM website.	

	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?		No	N/A	
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 1.1 of the Scoping Report sets out the questions and topics directed at consultees for the scoping of this SEA.	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		Sections 3, 4 & 5 of the scoping Report highlight these issues. Scoping report available from the East CFRAM Website.	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 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?	Yes		As well as the scoping report, a High-level Impacts of Flood Risk Management Methods report was produced which details potential impacts of implementation.	

	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		Appendix E of the Scoping Report details the extent of the identified stakeholders. Consultation had occurred at this stage and more was planned to go ahead.	
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 preparing the scoping exercise.	
2.13	Have the responses to the scoping exercises been included in the Scoping Report?		No	Responses not included in report.	
2.14	Has the Scoping Report been made public?	Yes		Available on the East 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		Issues set out in Section 3.4 of Scoping Report, however, SEA and AA have been screened out of the FRMP process.	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?		N/A	N/A	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?		N/A	N/A	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?		N/A	N/A	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?		N/A	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?		N/A	N/A	
3.6	Have the opinions expressed by other Member States during transboundary consultation been taken into account?		N/A	N/A	SEA Directive Article 7
3.7	Has a description of the outcome of all consultations (including transboundary) been documented in the ER?		N/A	N/A	

Section 1

	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?		No	N/A	
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?		No	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		Appendix D of the FRMP provides a list of the members of the Eastern CFRAM Steering Group.	

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?		N/A	N/A	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?		N/A	N/A	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?		N/A	N/A	
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?		N/A	N/A	
4.5	Has the zone of influence of the P/P been described appropriately?		N/A	N/A	
4.6	Has the potential for transboundary effects of the plan been identified?		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							N/A
	Water (surface, ground, estuarine and coastal)							N/A
	Soil							N/A
	Landscape							N/A
	Cultural Heritage							N/A
	Population							N/A
	Human Health							N/A
	Air							N/A
	Climatic Factors							N/A
	Material Assets							N/A
	Interrelationships							N/A
	Fisheries							N/A

Amenity, Community & Socio-Economics							N/A
	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?		N/A	N/A	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?		N/A	N/A			
5.4	Have trends for key environmental receptors been presented and described using appropriate environmental data?		N/A	N/A			
5.5	What sources of environmental data and/or environmental information systems (e.g. GIS) have been used?		N/A	N/A			
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.?		N/A	N/A			

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?		N/A	N/A	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?		N/A	N/A	SEA Directive Article 5 Annex 1
6.3	Are the proposed environmental objectives linked to appropriate targets and indicators?		N/A	N/A	
6.4	In relation to environmental targets; (a) have limits or thresholds been established where appropriate? (b) have timescales been set where appropriate?		N/A	N/A	
6.5	Are the environmental indicators capable of the following: <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? 		N/A	N/A	

	Question	Yes	No	Comment	Statutory Basis
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				N/A
	Water (surface, ground, estuarine and coastal)				N/A
	Soil				N/A
	Landscape				N/A
	Cultural Heritage				N/A
	Population				N/A
	Human Health				N/A
	Air				N/A
	Climatic Factors				N/A
	Material Assets				N/A
	Fisheries				N/A
	Amenity, Community & Socio-Economic				N/A
	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				

	Question	Yes	No	Comment	Statutory Basis
	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?		N/A	N/A	SEA Directive Article 5 Annex 1
7.2	Have the reasons for selecting (a) the alternatives and (b) the preferred alternative been provided?		N/A	N/A	SEA Directive Article 5 / Article 9 Annex 1
7.3	Has a description of how the assessment of alternatives was undertaken been provided?		N/A	N/A	SEA Directive Article 5 Annex 1
7.4	Are the potential alternatives proposed assessed against the relevant environmental objectives and against each other?		N/A	N/A	
7.5	Has a clear explanation been given of the likely significant environmental effects of each alternative?		N/A	N/A	
7.6	Has clear written justification been given for the choice of the preferred alternative?		N/A	N/A	
7.7	Do the alternatives considered reflect the objectives and hierarchy of the P/P?		N/A	N/A	

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?		N/A	N/A	SEA Directive Article 5 Annex I (f)
8.2	Are significant effects described in relation to: - current environmental conditions - relevant environmental standards and thresholds		N/A	N/A	
8.3	Are appropriate impact prediction methods used, and, are impacts quantified where relevant?		N/A	N/A	
8.4	Have the methods used for impact prediction been described?		N/A	N/A	

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?		N/A	N/A	SEA Directive Article 5 Annex 1
9.2	Have the proposed mitigation measures been incorporated into the P/P?		N/A	N/A	
9.3	Have the proposed mitigation measures been linked, where appropriate, to specific relevant significant environmental effects?		N/A	N/A	
9.4	Has an explanation been provided where mitigation of significant adverse effects is not proposed?		N/A	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?		N/A	N/A	
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?		N/A	N/A	

	Question	Yes	No	Comment	Statutory Basis
9.7	Is a description provided of any likely post mitigation residual impacts included?		N/A	N/A	
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	

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?		N/A	N/A	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?		N/A	N/A	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?		N/A	N/A	SEA Directive Article 10 Annex 1, S.I. Nos 435 & 436 (2004)
10.4	Are responsibilities for carrying out the monitoring programme clearly defined?		N/A	N/A	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?		N/A	N/A	
10.6	Are responsibilities for identifying and responding to unforeseen adverse effects of implementation of the P/P clearly defined?		N/A	N/A	
10.7	Has the frequency of monitoring been specified in the monitoring programme?		N/A	N/A	
10.8	Has the frequency of reporting on the results of the monitoring programme been specified?		N/A	N/A	
10.9	Does the monitoring programme address significant gaps identified in the baseline data?		N/A	N/A	Planning Guidelines for SEA section 7.4
10.10	Does the monitoring programme utilise existing monitoring arrangements where appropriate?		N/A	N/A	
10.11	Does the monitoring programme include provision for the ongoing review of environmental targets and indicators?		N/A	N/A	
10.12	Has provision been made to produce regular monitoring reports during the time period of the P/P?		N/A	N/A	

	Question	Yes	No	Comment	Statutory Basis
10.13	Does the monitoring programme address transboundary effects, if any?		N/A	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?		N/A	N/A	

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?		N/A	N/A	SEA Directive Article 5 Annex 1
11.2	Does the ER include a non-technical summary?		N/A	N/A	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		N/A	N/A	
	b) Current state of the environment and evolution		N/A	N/A	
	c) Environmental characteristics of area significantly affected		N/A	N/A	
	d) Existing environmental problems		N/A	N/A	
	e) Environmental protection objectives		N/A	N/A	

	Question	Yes	No	Comment	Statutory Basis
	f) Significant effects on the environment		N/A	N/A	
	g) Mitigation Measures		N/A	N/A	
	h) Alternatives		N/A	N/A	
	i) Monitoring		N/A	N/A	
11.4	Has a description been provided in the ER of the screening process and subsequent determination?		N/A	N/A	
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?		N/A	N/A	
11.6	Is the non-technical summary concise and easy to understand?		N/A	N/A	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?		N/A	N/A	
11.8	Have relevant references, glossary of terms and scaled maps (with source identified) been included?		N/A	N/A	

2 CONCLUSION

Fehily Timony & 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.

The measures set out in the Flood Risk Management Plan for UoM08 does not propose any physical works. The measures proposed are solely policy and governance measures. Therefore, SEA and AA were screened from this strategy.

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.