



STRATEGIC ENVIRONMENTAL ASSESSMENT

SEA STATEMENT

**STRATEGIC ENVIRONMENTAL ASSESSMENT
OF THE
DRAFT RURAL DEVELOPMENT PROGRAMME FOR IRELAND
2014-2020**

**PREPARED ON BEHALF OF THE DEPARTMENT OF AGRICULTURE, FOOD AND THE MARINE
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1. INTRODUCTION

In accordance with EU Directives and the corresponding implementing Regulations in Ireland the Rural Development Programme 2014-20 (RDP), as prepared by the Department of Agriculture, Food and the Marine (DAFM), was subject to Strategic Environmental Assessment (SEA). As part of these legislative requirements it is necessary that an “SEA Statement” be prepared. This Statement serves to document how the environmental considerations were integrated into the Programme and how the views and submissions of both the statutory consultees and others were taken into account. The Statement also serves to outline the measures decided upon to monitor any significant effects of implementing the Programme.

For a comprehensive understanding of the environmental aspects of the RDP the associated Environmental Report (ER) should be consulted. The ER details in full the environmental assessment of the RDP and includes a Non-Technical Summary.

2. LEGISLATIVE CONTEXT

According to Article 2 of the EU Directive 2001/42/EC (commonly referred to as the SEA Directive) programmes co-financed by the European Union fall under the scope of the SEA Directive. Strategic Environmental Assessment (SEA) is mandatory for all types of plans and programmes "which are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use and which set the framework for future development consent for projects listed in Annexes I and II to Directive 2011/92/EU".

Furthermore, as the proposed Rural Development Programme (RDP) is a co-financed Programme prepared in respect of agriculture and also has a potential for significant environmental effects, it has been deemed to be subject to SEA. The relevant implementing Regulations in Ireland are: the European Communities (environmental assessment of certain plans and programmes) Regulations, S.I. 435 of 2004 and the Planning and Development (strategic environmental assessment) Regulations, S.I. No. 436 of 2004 and as amended by S.I. No. 200 of 2011 and S.I. No. 2001 of 2011.

In accordance with Article 16 of S.I.435/2004 implementing SEA in Ireland a "SEA Statement" shall be prepared and made available to the public. The format and content requirements of that Statement are specified in sub-article (1) (b) of the Regulation. These requirements are as follows:

- (b) a statement is also available for inspection which summarises—
 - (i) how environmental considerations have been integrated into the plan or programme, or modification to a plan or programme,
 - (ii) how
 - (I) the environmental report (was) prepared pursuant to article 12,
 - (II) submissions and observations made to the competent authority in response to a notice under article 13, and
 - (III) any consultations under article 14,have been taken into account during the preparation of the plan or programme, or modification to a plan or programme,
 - (iii) the reasons for choosing the plan or programme, or modification to a plan or programme, in the light of the other reasonable alternatives dealt with, and
 - (iv) the measures decided upon to monitor, in accordance with article 17, the significant environmental effects of implementation of the plan or programme, or modification to a plan or programme.

3. OUTLINE DESCRIPTION OF RDP MEASURES

Agri-Environment and Climate Measures

The inclusion of Agri-Environment and climate measures is compulsory under the Rural Development Regulation. The proposed measures will deliver overarching benefits in terms of the rural environment whilst addressing the issues of climate change mitigation, water quality and the preservation of priority habitats and species.

Areas of Natural Constraint

Farmers in Areas of Natural Constraint (ANC) face significant handicaps deriving from factors such as remoteness, difficult topography and poor soil conditions. Essentially the measure seeks to assist farmers to continue in these less productive areas and in a more environmentally sustainable manner.

On-Farm Capital Investment - Targeted Agricultural Modernisation Schemes II (TAMS II)

The approach taken in the measures is to target particular areas of investment in order to assist farmers to establish or upgrade their facilities in a particular manner. Examples of facilities to be supported include dairy equipment, slurry storage, animal housing and low emission slurry spreading equipment. The grant-aid provided will ensure that farmers can meet the current challenges of the agriculture sector as well as providing benefits in relation to animal welfare, the environment, reduction of labour costs, climate change and increased efficiency.

Knowledge Transfer Measures

Knowledge transfer to the farming community is to be achieved through the application of a number of activities. These are: the establishment of Knowledge Transfer Groups, European Innovation Partnerships, Continued Professional Development for Advisors and the development of a Targeted Animal Health and Welfare Advisory Service.

Collaborative and Quality Focused Measures

Support for collaborative and quality focused measures includes support for: Collaborative Farming, Artisan Food Cooperation and support for Quality Schemes.

LEADER

LEADER aims to support the sustainable economic and social development of rural Ireland. It is administered by the Department of Environment, Community and Local Government (DECLG). The primary objective is the delivery of a community-led local development approach to rural development, supporting a range of community and enterprise projects and the creation of local sustainable employment.

4. OVERVIEW OF SEA PROCESS

Strategic Environmental Assessment

SEA consists firstly of preparing an Environmental Report (ER). The ER is a systematic evaluation of the likely environmental implications of the various elements of the proposed Programme on a comprehensive range of environmental receptors specified in the Directive/Regulations. It is not an analysis of the effectiveness or merits of the RDP itself.

A key aspect of the ER is that it is an overarching document that takes a strategic overview of the Programme and as such is positioned at the top of a hierarchy of themes and requirements as are to be applied at a Programme implementation level. The findings of the ER feed into the Programme development process such that any adverse environmental implications can be avoided from the outset, the impacts mitigated or alternative approaches adopted. This process includes a requirement for public consultation in advance of adoption of the Programme.

Consultation is undertaken at various stages in the preparation of both the Programme and the ER. Firstly the scope of the proposed ER is outlined and inputs from various bodies with a statutory function in environmental protection are consulted for their views. (In Ireland these are the Environmental Protection Agency, the Minister and Department for the Environment, Community and Local Government, the Minister and Department of Communications, Energy and Natural Resources; and the Minister and Department for Arts, Heritage and the Gaeltacht). Following their inputs the ER is prepared. The ER is then published and the comments/submissions of all parties including the public are assessed (as are the comments/submissions on the draft RDP). Following the assessment of these inputs the Programme and associated ER may be amended. The final stage of the SEA process is the publication of the “SEA Statement”, as presented here.

Appropriate Assessment

It should be noted that where state sponsored Plans/Programmes can potentially impact on designated areas for conservation an “Appropriate Assessment” under the European Communities (Birds and Natural Habitats) Regulations S.I. 447 of 2011 must also be carried out. In the case of the RDP such an Assessment was carried out within a separate parallel process to that of SEA. Importantly, at its draft stage that assessment concluded that:

“The RDP 2014-2020 as adopted will not have any significant impacts on the integrity of any Natura 2000 (protected habitat) sites”.

5. INTEGRATION OF ENVIRONMENTAL CONSIDERATIONS INTO THE PROGRAMME

The Rural Development Regulation published by the European Commission was formally adopted on the 17th December 2013. Under that Regulation it is a clear prerequisite of funding support that the RDP of each Member State take due account of environmental protection and sustainable development. In meeting that requirement the DAFM ensured from the outset that the Programme under development was to take full account of the environmental implications, and to modify the various elements of the Programme over the course of their development accordingly.

This objective (namely the integration of environmental considerations into the Programme) was facilitated by the extensive consultations undertaken by the DAFM with both the relevant environmental statutory bodies and the public in the early stages of Programme development and after receipt of the various submissions following the publication of the draft Programme and the associated Environmental Report. Similarly the initial Environmental Report findings were available to DAFM over the course of its preparation such that the likely environmental implications of the various Programme elements could be flagged well in advance thus allowing modification of the RDP over the course of the latter's development. Importantly the RDP development process was also informed by the extensive knowledge gained from the environmental performance and experience of the outgoing 2007-2013 RDP.

Importantly also, the draft Programme while under development was subjected to a detailed "SWOT and Identification of Needs" analysis by the Department. This SWOT analysis drew on a range of information both from within the DAFM and the Department of Environment, Community and Local Government and from external bodies and documents. The SWOT and Needs Analysis extended to all aspects of the Programme including "Environment" and as such played an important role in the integration of environmental considerations into the finalised Programme.

6. HOW THE ENVIRONMENTAL REPORT WAS PREPARED

Scoping of the ER

Given the very broad scope of the draft RDP measures and their potential to interact with virtually all environmental receptors of note it was determined from the outset that each RDP measure should be examined for its potential impacts on the environment. Therefore no measures were “scoped out” in advance of preparing the ER. Also, the details of the proposed scope of the ER for each measure was set out in a formal Scoping Report and further elaborated in the light of the feedback received from the statutory consultees.

ER Content

Having agreed the scope for the ER it was then prepared in accordance with the SEA Regulations (S.I. 435, 2004) and with specific reference to Schedule 2 of those Regulations. Schedule 2 details in a series of ten subheadings “The Information to be Contained in an Environmental Report”. Each measure of the draft RDP was systematically investigated in accordance with each of these subheadings.

Receiving Environment

As the various measures of the RDP are to be implemented within and across a wide range of rural environments the current state of the environment as regards water quality, climate change etc. forms the backdrop in which the RDP is to be set and with which it will interact. The current state of Ireland’s environment, including environmental trends/evolution, is comprehensively described in the Environmental Protection Agency (EPA) publication: the “State of the Environment Report- Ireland’s Environment” 2012. (Additional, more recent detailed data, was also available on protected habitats and species from the National Parks and Wildlife Service (NPWS) of the Department of Arts, Heritage and the Gaeltacht (DAHG).

The EPA report presents a comprehensive series of “Thematic Assessment” chapters. The principal relevant assessments (relevant in the context of the RDP and SEA) in the report were considered to include:

- Water;
- Land and Soil;
- Greenhouse Gases and Climate Change;
- Air Quality and Trans-boundary Air Emissions;
- Nature and Biodiversity;
- Sustainable Resource Use;
- Consumption and Waste.

Interaction of the Plan with the Receiving Environment

Guided by the known status of Ireland’s environment, as detailed in the EPA’s State of the Environment Report, each measure of the RDP was systematically examined in terms of potential interactions, whether positive or negative, with that environment. Specifically each measure was assessed against its potential for interactions with:

- Biodiversity
- Population
- Human Health
- Fauna
- Flora

- Soil
- Water
- Air
- Climatic Factors
- Material Assets
- Cultural Heritage (Archaeology, architecture)
- Landscape
- Materials consumption.

Relationship with other Plans, Programmes and Strategies

There are a number of national plans and programmes that can potentially have linkages with the RDP. In many respects the RDP was drafted with regard to these Plans and Programmes, for example in the case of the “National Biodiversity Plan 2011-2016” in the drafting of the GLAS measure.

Subsequently, in drafting the ER, the various existing Plans, Programmes and Strategies and the environmental protection objectives they contain were further systematically examined for their environmental relevance in relation to the draft Programme. Of particular relevance was “Food Harvest 2020”, a plan with important environmental implications.

Relevant Directives and International Obligations

There are a number of environmental Directives and international Agreements that can potentially have linkages with the RDP. Examples of relevant Directives implemented in Ireland include those associated with: Trans-boundary Air Pollutants obligations (including Climate), the Habitats Directive, the Nitrates Directive, the EU Water Framework Directive, Pesticides Directive and the EIA Directives. Where it is required to establish these in Ireland there are also corresponding implementing regulations. The relevance and importance of these is that many set the legal framework of environmental rules and requirements under which rural development takes place. In many respects these statutory rules and requirements serve as an important, and sometimes the primary, “Control Measure” for the proposed RDP 2014-2020. Consequently in the course of preparing the ER these Directives and International Obligations were systematically examined in the context of their relevance and potential interactions with the draft RDP.

Best Practice Guidelines

Various State Agencies and others have produced comprehensive Best Practice Guidelines for advising on a very wide range of agricultural activities (e.g. “Miscanthus Best Practice Guideline” and “Short Rotation Coppice Willow Best Practice Guidelines”). Such Guidelines set out the environmental implications of various agricultural activities and establish specific best practice measures to mitigate any associated adverse environmental implications. As these interact directly with many of the RDP measures proposed their importance and role as an environmental control was also assessed in the ER.

Analysis of Significance of RDP Impacts

Each measure of the RDP as drafted was assessed in the context of the known baseline environmental data and its potential for interaction with a range of pre-specified environmental “receptors”. The findings as to the degree of significance of likely impacts (positive and negative) are fully elaborated in the ER. These impacts are also summarised in the form of an “Impact Matrix”. The degree of significance of likely impacts assigned in the matrix to any particular measure is, of necessity, a prediction and is not to imply that impacts cannot occur that are greater or lesser than the assigned

value. Rather, it is based on the likelihood of such impacts arising and within a mature regulatory environment such as now pertains in Ireland. This approach is appropriate for an overarching document such as this Environmental Report dealing, as it must, with a Programme that has an exceptionally broad range of measures and sub-measures, all implemented across a wide and diverse geographical range of locations, environments and individual circumstances.

7. FINDINGS OF THE ENVIRONMENTAL REPORT

The Rural Development Regulation published by the European Commission was formally adopted on the 17th December 2013. Under that regulation it is a clear prerequisite of funding support that the RDP of each Member State take due account of environmental protection and sustainable development. To that end it is apparent from an examination of each measure of Ireland's draft RDP that these requirements were addressed in a fully integrated and comprehensive manner. This was achieved at the design stage of the Programme, a process which included extensive consultation with all relevant stakeholders.

Ireland has now a mature environmental regulatory system in place, much of it arising as a consequence of a range of mandatory environmental protection Directives issued by the EU over the past decades. While in earlier years, and across all Member States, environmental problems arose, including from agriculture, today these issues have largely been addressed through a comprehensive range of legislative measures, National Action Plans and Guidelines. The RDP is to be implemented within this established environmental control regime.

The largest financial allocation within the Programme is to go towards the "Green Low-Carbon Agri-Environment Scheme" (GLAS). It is evident that, appropriately administered and monitored, this measure has the capacity to deliver important benefits for environmental protection across a wide range of environmental protection objectives including; conservation of habitats, protecting and enhancing biodiversity, protection of water quality and, climate change.

The next largest proportion of the draft RDP funding is to be allocated to "Areas of Natural Constraint" (ANCs). It is evident from an environmental and population perspective that the principal result of the financial support the ANC provides is that it helps prevent widespread abandonment of farmland in these rural communities. As the measure is closely linked to qualifying criteria such as having to farm in an environmentally responsible manner it is concluded that the ANC measure can have an outcome that is both socially and environmentally positive. Properly administered it has little capacity to have any negative environmental consequences.

While overall financial support for Knowledge Transfer is modest this comparatively low cost support is potentially capable of delivering a disproportionate level of positive environmental benefits. This, in particular, is because it is a central enabling mechanism for the effective delivery and utilisation of the other measures of the RDP. It is only through the development of the knowledge and skills, such as those relating to best environmental practice and sustainable farming, that the environmental benefits of those various measures can be maximised. In recognition of this it is a requirement for applicants for support under many of the measures to participate in associated knowledge and up-skilling programmes.

Pillar 2 of the Common Agricultural Policy (CAP), as implemented via the RDP, has as a primary focus the aim of increasing the quality of food output, and in turn to support the maintenance and development of rural communities. As is evident in the case of the Beef Data and Genomics Programme measure, the RDP has the objective of increased efficiency and quality of beef production rather than increased cattle numbers and outputs. This emphasis on efficiency and quality rather than "headage" represents a positive shift in agricultural policies of the past towards more environmentally sustainable production for the future.

The general level of support and the range of measures proposed in the RDP have the capacity to improve the environmental performance of Irish agriculture and, through the GLAS measure in particular, to pro-actively support conservation. In the absence of the Programme proceeding the opportunity to achieve these outcomes would be largely missed.

It is concluded that, when viewed in its totality, the RDP has little potential to result in any adverse environmental consequences of note. To the contrary, the RDP has the potential to deliver an overall positive contribution to Ireland's environment and to the communities that environment supports.

8. CONSULTATIONS, SUBMISSIONS AND OBSERVATIONS ON THE RDP AND ENVIRONMENTAL REPORT

Consultation on SEA in respect of the RDP was threefold. Firstly, extensive consultations on the RDP were conducted by the DAFM through a series of consultative sessions and workshops held on a regional basis. All relevant stakeholders were invited. These initial consultations served to alert the stakeholders to the outline of the RDP at that time of early development and also served to inform the participants that the Programme was subject to SEA and that an Environmental Report would be prepared in accordance with the SEA Directive and Regulations. The participants included the relevant statutory consultees with a role in SEA as specified in the SEA Regulations. This process served to obtain feedback on environmental issues at the earliest stage possible, feedback which could be reflected in the RDP over its period of elaboration and development. Also, the detail of the Programme as regards the range of measures, their objectives and means of implementation set out in the RDP 2014-2020 were all formulated in the light of feedback on the performance and experience of the outgoing 2007-2013 RDP. That experience extended to providing an in-depth understanding of the environmental impacts and of the effectiveness of the monitoring and control measures applied in that Programme in the past.

Once the RDP content was developed to a sufficiently definitive level a “Scoping Report” detailing the proposed content and depth of the ER was prepared and provided to the statutory consultees on SEA. The feedback obtained was subsequently analysed and taken into account in the preparation of the ER.

Following completion of the draft ER copies were made available to the various statutory parties, and to the public.

Also, in line with the National legislation (S.I. No. 453 of 2004) in relation to SEA, a four week period was provided for public consultation on the draft ER and draft chapters of the RDP. Following on from a press launch, there was significant press coverage across various media and the relevant documents were placed on the Department’s website and written submissions were invited.

Summary of the results

As regards the statutory consultees the most comprehensive response on scoping was received from the Department of Arts, Heritage and the Gaeltacht (DAHG) and from the Environmental Protection Agency (EPA).

The DAHG submission, dated 1st May 2014, made specific reference to their numerous earlier submissions to DAFM in 2013 and early 2014 regarding their view of the content and approach that they would like to see adopted in the RDP. Those submissions were therefore already taken into account in the draft RDP that became available at the end of March 2014 and upon which the ER is based. The DAHG submission of 1st May relates to both the ER and to the Appropriate Assessment.

The comments and submissions of the EPA were also given the appropriate level of consideration in preparing the ER and are further addressed in the implementation and monitoring recommendations.

In total some 40 submissions on the ER were received. This included submissions received from the general public and bodies active both in the realm of nature protection and of wider rural development. The findings from this process fed back into the SEA work undertaken by the

independent consultants. In addition, where relevant, submissions were fed back into the measure design process. In order to ensure that this feedback fed directly into the SEA and RDP design process, an analysis of all submissions received was undertaken by the Managing Authority to identify the key issues emerging. This analysis, as well as full submissions where appropriate, was provided both to the consultants undertaking the SEA and line divisions designing and implementing particular measures. In particular, some of the key issues highlighted in this process which have been reflected in the SEA and measure design include an expanded approach to the local, targeted agri-environment approach, the possibility of European Innovation Partnerships addressing environmental issues, and the identification of certain priority species.

9. TRANS-BOUNDARY CONSULTATION

The Northern Ireland Environment Agency was advised at the commencement stage of RDP drafting that an associated SEA would be carried out and that under that process an ER was to be prepared. That Agency subsequently made a submission regarding the proposed content of the ER. Their views related in the first instance to consideration of potential trans-boundary effects. These and the other issues raised by them were fully taken into account in the ER.

Northern Ireland, through the Department of Agriculture and Rural Development (DARD), is implementing its own RDP under the EU Rural Development Regulations. For the same reasons DARD's RDP is subject to SEA. Both parties have exchanged information in regard to their respective SEAs and will continue to cooperate in the implementation of their respective Programmes into the future. Neither party's environmental assessments identified any trans-boundary issues of note.

10. REASONS FOR CHOOSING THE PLAN IN THE LIGHT OF ALTERNATIVES

The consideration of “Alternatives” under SEA in the ER related to recommended options/proposals for modifying the RDP solely in the context of eliminating environmental issues or problems identified. Issues relating to the overall effectiveness, desirability, and value for money of the RDP are outside the scope of an ER and of this Statement.

While the preparation of the RDP and the ER were carried out as parallel processes there was regular cross consultation throughout. This ensured the early identification of any unexpected (environmental) problems and afforded the opportunity to eliminate or mitigate such issues at the RDP design stage. That objective was further facilitated by the extensive knowledge and experience of environmental performance issues gained over the life of the outgoing 2007-2013 RDP.

As the RDP has sustainable development and environmental protection/enhancement as its core objective it was, as noted above, designed from the outset to ensure that positive rather than negative environmental impacts would arise. Each measure of the RDP was examined and assessed and reported on in this regard within the ER. When the various measures of the RDP were assessed in the context of their overall interaction with the environment each was determined to be, essentially, positive. Consequently, it would only have been in circumstances where negative environmental impacts were identified by the analyses undertaken and reported on in the ER that “Alternative” RDP proposals would arise for further consideration.

The “Do Nothing” scenario, (i.e. the non-implementation of the Programme) can also be considered as an “alternative”. It was concluded that if such an alternative were to be adopted the important opportunities for environmental enhancement and the promotion of sustainable development inherent in the Programme would be lost. This loss would result in an overall negative impact on the environment.

11. MONITORING MEASURES

The implementation of the Programme will be the responsibility of DAFM and this responsibility extends to ensuring that the environmental conditions attached to the individual supports are adhered to and that unanticipated adverse impacts do not occur. If any such adverse situations are found to arise the RDP is sufficiently flexible to allow these to be promptly addressed.

The necessary environmental monitoring for achieving this objective will be through a combination of pre-specified reporting requirements on the part of the beneficiaries and of on-farm inspections by appropriately qualified DAFM staff. In the case of some Programme elements a specific computer based system will be developed which will serve to ensure that documented recording and monitoring of the relevant environmental aspects occurs on an ongoing basis. Also, in the case of the Green Low-Carbon Agri-Environment Scheme, a major element of the Programme, it is intended that DAFM will closely liaise with the National Parks and Wildlife Service regarding the monitoring of desired outcomes and impacts.