



**In the matter of Article 6(3) of the Habitats Directive¹
And in the matter of Regulation 42 of the European Communities (Birds and Natural
Habitats) Regulations 2011 (S.I. No. 477/2011)**

**Appropriate Assessment Determination
Agri-Food Strategy to 2030**

In order to comply with the requirements of Article 6(3) of the EU Habitats Directive, and Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended)² (hereafter 'the Birds and Habitats Regulations'), the process of screening for Appropriate Assessment was undertaken at an early stage in the drafting of the Agri-Food Strategy to 2030 ('AFS'). The screening for AA assessed whether the AFS was likely to have potential significant effects on any designated European Sites³ which comprise the Natura 2000 network, either alone or in combination with other plans and projects.

The screening for Appropriate Assessment was undertaken by an Ecologist at ADAS, an RSK company, on behalf of the Minister for Agriculture, Food and the Marine. The screening concluded that an Appropriate Assessment was required, as although the Agri-Food Strategy 2030 is not directly connected to or necessary for the management of Natura 2000 sites (though it does have the potential to enhance management of Natura 2000 sites intimately associated with agricultural activities), the Agri-Food Strategy 2030, both alone and in combination with other plans and programmes, could have significant effects on Natura 2000 sites (in view of their conservation objectives) depending on where and how certain agricultural activities are implemented.

Therefore, adopting the precautionary principle, it was concluded that an Appropriate Assessment be carried out and a Natura Impact Statement (NIS) should be prepared. An NIS was prepared by ADAS, an RSK company, on behalf of the Minister, and was made available as part of the public consultation on the (draft) Agri-Food Strategy to 2030, published online at www.gov.ie.

The NIS considered the potential for the AFS to adversely affect the integrity of any Natura 2000 site(s); with regard to their qualifying interests, associated conservation status, the structure/function of the site(s) and the overall site(s) integrity. This included assessing the

¹ Council Directive 92/43/EEC (as amended) on the conservation of natural habitats and of wild fauna and flora (Hereafter referred to as "Habitats Directive"). It forms the cornerstone of Europe's nature conservation policy with the Conservation of Wild Birds Directive (79/409/ECC) as codified by Directive 2009/147/EC (hereafter "Birds Directive") and establishes the EU wide Natura 2000 ecological network of protected areas.

² The European Communities (Birds and Natural Habitats) Regulations 2011 (S. I. No. 477 of 2011) transpose the Habitats Directive and the Birds Directive into Irish legislation.

³ Designated sites (Special Areas of Conservation (Designated under the Habitats Directive) and Special Protection Areas (designated under the Birds Directive)) that makes up the composition of the Natura 2000 Site Network.



AFS as it developed and the draft AFS published in April 2021 and subsequently, assessing the changes made post consultation for the AFS.

An Appropriate Assessment Conclusion Statement was prepared by ADAS, an RSK company, on behalf of the Minister for Agriculture, Food and the Marine.

APPROPRIATE ASSESSMENT DETERMINATION

Therefore, having regard to:

- The Natura Impact Statement dated April 2021, which concluded that subject to mitigation, there would be no significant adverse effects upon the integrity of any Natura 2000 sites as a result of implementation of the measures in the then draft AFS
- The submissions and observations from the public, public authorities and other Government Departments
- Assessment of the proposed modifications to the draft AFS, which concluded that subject to mitigation, there would be no significant adverse effects upon the integrity of any Natura 2000 site as a result of implementation of the measures in the AFS
- The post-consultation NIS which for the considerations and reasons stated therein concluded that there would be no adverse effects upon the integrity of any Natura 2000 sites as a result of implementation of the measures in the AFS
- The Appropriate Assessment Conclusion Statement
- The high-level strategic nature of the draft AFS and of the proposed modifications to the draft AFS
- The Missions, Goals, and Actions included in the draft AFS, particularly those under Mission 1 Goal 2
- The fact that all relevant plans and projects informed by the AFS will be subject to Stage 1 screening and Stage 2 Appropriate Assessment as required pursuant to the provisions of the Birds and Natural Habitats Regulations 2011, as amended.

The Minister for Agriculture, Food and the Marine, having carefully considered all the foregoing, and, in particular, the Appropriate Assessment Conclusion Statement, and having regard to the advice of his officials, agrees with and adopts the reasoning and conclusion as set out in the Appropriate Assessment Conclusion Statement.

The Minister hereby DETERMINES pursuant to Regulation 42 of the Birds and Habitats Regulations and for the purposes of Article 6(3) of the Habitats Directive that the AFS will not either individually or in combination with any other plan or project adversely affect the integrity of any Natura 2000 site.



REASONS FOR DETERMINATION

The reasons for the said determination are set out in the Appropriate Assessment Conclusion Statement, the reasoning and conclusions of which have been adopted in full by the Minister. The said Appropriate Assessment Conclusion Statement is to be published together with this Determination.

CHARLIE MCCONALOGUE

Minister for Agriculture, Food and the Marine

16 July 2021