

## **SEA Environmental Report**

**As per Regulation (EU) 2021/2115, and Implementing Regulation (EU) 2021/2289**, Annex I to the CAP Strategic Plan referred to in Article 115(1) of Regulation (EU) 2021/2115 shall contain a summary of ex ante evaluation results and the main recommendations of the ex-ante evaluation and the SEA.

It shall be clearly mentioned how the recommendations have been addressed or a justification of why they have not been taken into account shall be included.

Links to the complete ex ante evaluation and SEA reports shall be provided.

The summary of SEA referred in Article 139 has been uploaded in the designated Annex I section on SFC. Details about recommendations and how they have been addressed or a justification of why they have not been taken into account have also been uploaded in the designated Annex I section of SFC.

The completed Environmental Assessment Reports are available on the Department's website <https://www.gov.ie/en/publication/76026-common-agricultural-policy-cap-post-2020/#environmental-assessment-reports> .

## **Strategic Environmental Assessment including Appropriate Assessment**

### **Process**

A Strategic Environmental Assessment (SEA) pre-screening check was carried out by the Managing Authority (the CAP Strategic Plan Division of the Department of Agriculture, Food and the Marine). In accordance with 9(1)(a) of S.I. No. 435 of 2004, as amended (European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004), the Managing Authority is required to carry out an environmental assessment for Plans or Programmes relating to agriculture.

Under Regulation 42(1) of the EC (Birds and Natural Habitats) Regulations, 2011 (as amended), an initial screening for Appropriate Assessment of the CAP Strategic Plan 2023-2027 was carried out by our external consultants. It was concluded that the draft CAP Strategic Plan 2023-2027 will be subject to a full Appropriate Assessment – full details of the screening are at the following link: [gov.ie](http://gov.ie) - [CAP Strategic Plan Screening Report for Appropriate Assessment \(www.gov.ie\)](http://www.gov.ie).

The environmental assessment was conducted as an iterative process alongside the Appropriate Assessment and ex-ante evaluation of the draft CAP Strategic Plan. Similar to the ex-ante assessment, ongoing engagement between the external consultants and the Department in relation to the environmental assessment has been a feature of this iterative process. The Managing Authority established a steering group to help inform the environmental assessment. The steering group comprised representatives of the Department's CAP Strategic Plan development team, Department intervention design team, in-house ecological expertise and Teagasc, as well as representatives from the statutory environmental authorities - the Department of Housing, Local Government and Heritage (including the National Parks and Wildlife Service), the Environmental Protection Agency as well as the Department of Environment and Climate Change. The environmental assessment process helped to inform intervention design as well as shaping the Green Architecture, including the baseline conditionality.

Members of the CAP Consultative Committee were also kept informed throughout all stages of the environmental assessment, including through a dedicated workshop at the scoping stage of the process. Members of the consultancy team were also represented at meetings of the CAP Consultative Committee and associated workshops. In addition, the consultants held a series of bilateral meetings with the implementing divisions in the Department and with officials in the Department of Rural and Community Development (DRCD) with responsibility for LEADER. These briefings provided a detailed overview of the intervention design and intervention logic, including the interplay between conditionality, eco schemes and the Agri Environment and Climate Measure (AECM). This afforded a valuable opportunity for the environmental assessment process to interact with the broader development of the CSP. Feedback from the consultants was also provided to the implementation design leads and, where appropriate, the draft CSP was updated.

### Public consultation element of the environmental assessment

At scoping stage, in addition to the statutory consultation with the environmental authorities, the Managing Authority also conducted a wider non-statutory public consultation on the draft scoping report to help inform the environmental assessment. All of the environmental topics listed in the SEA Directive were scoped in for the assessment of the plan. The consultants presented the draft scoping report to the CAP Consultative Committee and the Steering Group for the environmental assessment. A number of improvements were made to the scoping report including updated reference to available datasets, the hierarchy of relevant plans and programmes, as well as additional targeted questions in the Strategic Environmental Objective assessment questions. The submissions received and responses to them are recorded in Section 3.4 of the draft Environmental Report.

The draft Environmental Report and the draft Natura Impact Statement were subsequently prepared by external consultants. These reports, alongside the draft CAP Strategic Plan, were subject to a statutory and public consultation for a period of thirty days in November and December 2021. There were fourteen submissions received in relation to the draft Environmental Report and the draft Natura Impact Statement. These were subsequently considered by the external consultants and by DAFM (as the Competent Authority in this instance).

Following the submissions received from key stakeholders, including the statutory authorities and the Environmental Pillar, a number of additional recommendations to improve the quality of the draft Environmental Report and draft Natura Impact Statement were made, and additional mitigation measures were identified. These additional mitigation measures will be reflected in the updated Environmental Report, and a link will be uploaded to the SFC.

Following the adoption of Ireland's CAP Strategic Plan 2023-2027 by the European Commission (expected in Q3 2022), DAFM (as the Competent Authority) will proceed to arrange for the preparation and publishing of the finalised Strategic Environmental Assessment Statement and Appropriate Assessment Statement.

### Impact of environmental assessment process on the development of the CAP Strategic Plan

Following the two public consultation processes, steering group meetings, bilateral engagement with the statutory environmental authorities as well as ongoing engagement with the consultants throughout the development of the draft CAP Strategic Plan, updates to the draft CAP Strategic Plan were made. A number of recommendations from the environmental report and submissions received on improving the targeting of both interventions and control measures have also been adopted in the draft CSP. The following table outlines those changes.

Controls (Conditionality)	Greater emphasis on targeting controls to ensure effectiveness. This will be achieved by consideration of new information relevant to the SMRs and GAECs, evaluation of outcome of past controls and an effective risk analysis procedure in the selection process.
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	<p>Where feasible, checks by monitoring will be introduced to enhance the number of farmers subject to controls.</p> <p>Remedial actions will form part of the control process.</p>
GAEC 3	Pre-authorisation now required from the Department prior to burning stubble
GAEC 4	Clarification that 3m buffer is a minimum requirement. This will be further enhanced by specific obligations of SMRs 1 and 2 and any actions that fall from the Nitrates Action Plan
GAEC 8	<p>Requirement for non-productive features (NPFs) extended to all farmers.</p> <p>List of NPFs revised to include, inter-alia, small ponds (<math>\leq 0.2</math> ha), Natura 2000, Commonage and GAEC 2 and 9.</p> <p>Growing of catch crops excluded from list of NPFs.</p> <p>Requirement for prior replacement (x2) of removed hedgerow to Agri Environment and Climate Measure standard.</p>
GAEC 9	<p>DAFM is currently reviewing the designated Environmentally Sensitive Permanent Grassland (ESPG) sites in collaboration with the National Parks and Wildlife Service Division of the Department of Housing, Local Government and Heritage.</p> <p>Permanent crops are not permitted in ESPG designated grasslands.</p>
SMR 3	<p>Relevant controls will extend, as appropriate, outside of the designated areas.</p> <p>Where possible, there will be an enhanced information exchange with farmers to inform them of their obligations on designated SPA and SAC. DAFM will make provision in On The Spot Checks (OTSC) control procedures to check planning permission for new works.</p> <p>.</p>
SMR 4	DAFM will make provision in On The Spot Checks (OTSC) control procedures to check planning permission for new works.
Eco schemes	<p>Additional optional practices added and some of the original proposed practices broadened to attract maximum number of participants and maximise the environmental benefit.</p> <p>-</p>
AECM	Additional mitigation measures proposed to ensure expert ecological advice and latest datasets are used to screen proposed actions for potential risk to European Sites.
AECM	The use of Environmental Protection Agency Pollution Impact Potential maps <sup>i</sup> or best available data to target the implementation of environmental measures.

AECM	In the general scheme, applications from farmers who have land in a breeding wader hotspot (as defined by a spatial dataset produced for DAFM by Birdwatch Ireland), will have prioritised entry into the general scheme.
AECM	Low Emission Slurry Spreading (LESS) confirmed as an action (Tier 3 action).
AECM	Extensively grazed pasture action added.
AECM training	Mandatory advisor training including the latest ecological advice and the use of the Departments IT system will be provided to registered farm planners to ensure that any proposed actions with potential to have an impact on a European Site will be screened for that potential risk.
European Innovation Partnership	There will be specific themed calls for Breeding Waders and water quality following further consultation with the relevant authorities to scope out the targeted areas and best approaches to address these topics.
European Innovation Partnership	Intervention template updated to provide for all callows in the list of possible areas to be targeted.
CPD for advisors	The CPD for Advisors will address a number of high-level topics including climate change (both mitigation and adaptation) and sustainable energy, air, soil and water quality, biodiversity conservation, and the adoption of new technologies and best practice. It is envisaged that training of advisors on issues related to landscape and cultural heritage will be included in the biodiversity conservation topic.

### Transboundary Consultation

The Department of Agriculture, Food and the Marine consulted with the Northern Ireland Environment Agency of the Department of Agriculture, Environment and Rural Affairs of Northern Ireland during the initial scoping phase and draft Environmental Report phase of the environmental assessment of the draft CAP Strategic Plan.

### Changes screened for SEA and AA

It should be noted that changes were made to the draft CAP Strategic Plan based on stakeholder engagement, submissions received and ongoing bilateral engagement with the environmental authorities. These changes were subsequently screened from a Strategic Environmental Assessment perspective as well as Appropriate Assessment. The draft Environmental Report has been updated to reflect this.

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<sup>i</sup> [Pollution Impact Potential Maps - Surface Water Phosphate - Datasets - data.gov.ie](https://data.gov.ie/datasets/pollution-impact-potential-maps-surface-water-phosphate)