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████ Agriculture House,
Kildare St.
D02 WK12

8 December 2021

Re: Notice of Statutory Consultation on the Environmental Assessment of the CAP Strategic Plan 2023-2027

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Thank you for the opportunity to make comments to Statutory Consultation on the Environmental Assessment of the CAP Strategic Plan 2023-2027 SEA Environmental Report and Natura Impact Statement. The consultation Body comprising of Department of Agriculture, Environment and Rural Affairs (DAERA) and supported by a service level agreement with the Department for Communities – Historic Environment Division (HED) has considered the documents with our opinions detailed below.

The layout and content of the Environmental Report is well laid out and easy to follow.

DAERA SEA Team is content that the environmental report and the process of consultation follow the SEA Directive.

A description of the current state of the environment and how this relates to the proposed Framework is included within the environmental report. Appropriate environmental objectives / targets / indicators for each of the likely environmental receptors is addressed including consideration of alternatives, an assessment of significant impact and complemented with mitigation measures and monitoring programme.

DAERA Natural Environment Division (NED) Comments

NED welcome that our comments have been taken on board and consideration of transboundary issues for the natural environment / heritage has been given throughout the SEA and NIS.

NED note that the CAP Strategic Plan 2023-2027 is limited to within Ireland and welcome the acknowledgement and consideration of transboundary environmental effects within the SEA.

We welcome the proposed Transboundary consultation and sharing of monitoring data is for effects relating to Air Quality, Water and Landscape, however these should be extended to include biodiversity e.g. transboundary habitats, mobile species. NED are of the opinion that there should be a solid commitment within the SEA report and the Natura Impact Assessment to consult with the relevant authorities in NI at project level should transboundary effects be identified or likely.

We welcome the proposed monitoring and mitigation which should also prevent any significant environmental impacts in Northern Ireland as well.

We welcome that Appropriate Assessment has been carried out and that the NIS has considered all NI European Sites. We however note that further Appropriate assessment may be required at project level and advise early engagement with the relevant bodies in NI should there be any potential transboundary effects on NI European sites.

Climate Change Unit Comments

Climate Change Mitigation Branch refers the Republic of Ireland's Department of Agriculture, Food and the Marine to the requirements laid out within the Climate Change Committee's Sixth Carbon Budget publication, with particular reference to the options for reducing emissions starting at Page 11 of the Agriculture and Land Use summary. A link for this can be found below.

Sixth Carbon Budget Agriculture and Land Use

The Climate Change Committee (CCC) recently published its UK Climate Risk Independent Assessment 2021 which identifies the risk and opportunities posed by climate change over the next five years. A summary for Northern Ireland can be found below.

<https://www.ukclimaterisk.org/independent-assessment-ccra3/national-summaries/>

Water Management Unit Comments

Water Management Unit welcomes the recognition of the issue of water management in NI and the potential transboundary issues for the water quality and water resource as a result of the plan have been considered in the report. WMU recognises the report



demonstrates cognisance of draft 3rd Cycle River Basin Management Plans for Northern Ireland and would advise that the finalised plans are due to be published 9th April 2022.

With regard to the monitoring programme, Water Management Unit consider it essential that this include relevant thresholds in relation to water quality and resource with associated trigger actions and interventions (including plan revisions where required) if unforeseen or adverse environmental effects are identified.

Water Management Unit would advise that The Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017 requires NIEA to protect the status of the water bodies from deterioration and where necessary and practicable to restore water bodies to good status. The plan must ensure that the environmental objectives for water bodies in Northern Ireland are not compromised as a result.

DAERA Drinking Water Inspectorate (DWI) Comments

Thank you for consulting with DWI on the CAP Strategic Plan 2023-2027 Environmental Report and Natura Impact Statement.

Upon review, we welcome consideration to drinking water supplies with respect to the Water Framework Directive (98/43/EC) and its recast (EU 2020/2184). There is no mentioned reference to the Regulations which cover the monitoring of private water supplies within Ireland: European Union (Drinking Water) Regulations 2014 (S.I. 122 of 2014) (as amended by European Union (Drinking Water) Regulations 2017 (S.I. 464 of 2017)).

Consultation with Northern Irelands water undertaker (Northern Ireland Water Ltd) is encouraged to align Drinking Water Protected Areas and Drinking Water Safety Plans, particularly in transboundary areas
Marine Plan Team Comments

Marine and Fisheries Division Response

Marine Conservation response:

The following impacts should be considered as part of the Environmental Report;

Climate Change Impacts – Coastal Change

We note that impacts such as sea flooding and coastal erosion have not been addressed. We would like to draw particular attention to the impacts of sea flooding and coastal erosion on the availability of farm land, which is currently and likely to come



under further pressure as a result of changing coastlines. Existing and predicted sea flood plains should be taken into consideration as farmland which may not be available in future in order to accommodate and adapt to climate change impacts. Protection of farmland using hard engineered sea defences should be a last resort given the associated negative impacts on coastal processes and exacerbation of erosion.

Where coastal erosion and sea flooding may be a transboundary consideration policy guidance and requirements under the UK Marine Policy statement and Draft Marine Plan for Northern Ireland should be adhered to. Information on areas which may be under threat in Northern Ireland can be found using the DAERA Marine Map Viewer – Coastal Erosion – High Level Risk Appraisal layer and DFI Flood Maps Present and Climate Change Flood Plain layers

Inland Fisheries response:

Inland Fisheries are content that the potential issues impacting fisheries interests have been considered within these documents.

Inland Fisheries welcomes the proposed protection of water quality, the creation of buffer strips along watercourses, measures to protect watercourses from the introduction of sediments from land tillage, protection of riparian planting etc. Inland Fisheries are content that the potential impacts of these measures have been assessed adequately and fisheries interests have been considered.

Marine Plan response:

Marine Plan Team welcomes the opportunity to comment on the Environmental Report and Natura Impact Statement (NIS), and notes your consideration of potential transboundary effects to European Sites in Northern Ireland, in section 2.1 Approach to Assessment. We suggest that it is made clear that the transboundary effects also include rivers, lakes, estuarine, coastal and marine waters.

It is suggested that Figures 4.1 to 4.5 should be amended to take account of the following:

- Figure 4.1 omits a number of Northern Ireland marine SACs including The Maidens SAC, The Skerries and Causeway SAC and North Channel SAC.
- Figures 4.3, 4.4 and 4.5 do not show transboundary or marine potential impacts.
- Figures 4.1 and 4.2 show a marine boundary within and extending from Lough Foyle and Carlingford Lough. No agreed boundary exists in those locations which are often referred to as Shared Waters.



More generally it is noted that the draft Marine Plan for Northern Ireland and the UK Marine Policy Statement should be considerations in considering transboundary effects on the coastal and marine environment.

Should you have any questions regarding the content of our response please do not hesitate to contact us.

Yours sincerely



Senior Scientific Officer
NIEA, DAERA

