



CONSULTANTS IN ENGINEERING,  
ENVIRONMENTAL SCIENCE &  
PLANNING

# AMENDMENT NO. 2 TO IRELAND'S CAP STRATEGIC PLAN 2023-2027

## APPROPRIATE ASSESSMENT SCREENING REPORT

### Prepared for:

Department of Agriculture, Food and the Marine



An Roinn Talmhaíochta,  
Bia agus Mara  
Department of Agriculture,  
Food and the Marine

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Core House, Pouladuff Road, Cork, T12 D773, Ireland

T: +353 21 496 4133 | E: [info@ftco.ie](mailto:info@ftco.ie)

CORK | DUBLIN | CARLOW

[www.fehilytimoney.ie](http://www.fehilytimoney.ie)

## Appropriate Assessment Screening Report of Amendment No. 2 to Ireland's Common Agricultural Policy Strategic Plan 2023-2027 for the Department of Agriculture, Food and the Marine

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**Abstract:** Fehily Timoney and Company is pleased to submit this AASR to of Amendment No. 2 to Ireland's Common Agricultural Policy Strategic Plan 2023-2027 for the Department of Agriculture, Food and the Marine.

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## 1. INTRODUCTION

Fehily Timoney and Company (FT) were commissioned by the Department of Agriculture, Food and the Marine to prepare a report to inform the competent authority about the Screening for Appropriate Assessment, as required by Article 6(3) of Council Directive 92/43/EEC (Habitats Directive). The preparation of the Appropriate Assessment (AA) screening report is for a proposed amendment No. 2 to Ireland's Common Agricultural Policy Strategic Plan 2023-2027 (proposed amendment).

This report presents an examination of whether the proposed development is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and is based on best available scientific knowledge. This report is to inform the competent authority in completing their statutory obligation to carry out a Screening for AA.

### 1.1 Legislative Requirements

Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive) provides legal protection for habitats and species of European importance. The Habitats Directive provides legal protection for habitats and species of European importance. The overall aim of the Habitats Directive is to maintain or restore the "favourable conservation status" of habitats and species of European Community Interest. These habitats and species are listed in the Habitats and Birds Directives (Habitats Directive as above and Directive 2009/147/EC on the conservation of wild birds) with Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) designated to afford protection to the most vulnerable among them. These two designations are collectively known and referred to as European sites.

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect such sites. Article 6(3) establishes the requirement for AA. These requirements are implemented in the Republic of Ireland by the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended) and the Planning and Development Act 2000 (as amended). Specifically, Article 6(3) of the Habitats Directive states:

*"Any plan or project not directly connected with or necessary to the management of the site (Natura 2000 sites) but likely to have significant effect thereon, either individually or in combination with other plans or projects, shall be subject to Appropriate Assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public".*

Therefore, the AA process is an assessment of the following key concepts:

- Whether a plan or project can be excluded from AA requirements because it is directly connected with or necessary to the management of a European site.
- Whether the project will have a potentially significant effect on a European site, either alone or in combination with other projects or plans, in view of the site's conservation objectives or if residual uncertainty exists regarding potential impacts.



The provisions of Article 6(3) do not apply where the proposed plan or project is 'connected with or necessary to the management of the site'. Where a formal consent process applies, the AA process is concluded by the relevant competent authority making a determination in accordance with article 6(3) of the Habitats Directive.

## 1.2 Guidance

The assessment was conducted in accordance with the following guidance:

- Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg (European Commission, 2002).
- This document was updated by Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC. Commission Notice (2021) Brussels, 28.9.2021 C(2021) 6913 final;
- Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government, Dublin (2009, updated 2010);
- Commission Notice: Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC. European Commission (2018). Brussels, (2019/C 33/01). OJ C 33, 25.1.2019;
- Interpretation Manual of European Union Habitats. Version EUR 28. European Commission 2013;
- OPR Practice Note PN01 Appropriate Assessment Screening for Development Management, Office of the Planning Regulator (2021).

The AA screening is based on best scientific knowledge and has utilised ecological and hydrological expertise. In addition, a detailed online review of published scientific literature and 'grey' literature was conducted. This included a detailed review of the National Parks and Wildlife Website including mapping and available reports for relevant sites and in particular sensitive qualifying interests/special conservation interests described and their conservation objectives. The EPA Envision Map-viewer ([www.epa.ie](http://www.epa.ie)) and available reports were also reviewed:

- Definitions of conservation status, integrity and significance used in this assessment are defined in accordance with 'Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC' (EC, 2000).
- The conservation status of a natural habitat is defined as the sum of the influences acting on a natural habitat and its typical species that may affect its long-term natural distribution, structure and functions as well as the long-term survival of its typical species;
- The conservation status of a species is defined as the sum of the influences acting on the species concerned that may affect the long-term distribution and abundance of its population;
- The integrity of a European Site is defined as the coherence of the site's ecological structure and function, across its whole area, or the habitats, complex of habitats and/or populations of species for which the site is or will be classified; and
- Significant effect should be determined in relation to the specific features and environmental conditions of the protected site concerned by the plan or project, taking particular account of the site's conservation objectives.



### 1.3 Assessment Process and Approach

The assessment commences with a description of the receiving environment, along with a description of the project and the associated sources for impacts to the receiving environment which may arise through interactions on same. All elements of the project are presented including the proposed project location and existing baseline environment. The type of impacts that are likely due to the proposed project are identified having regard to the spatial and temporal scale of the project, resource requirements and likely emissions; these sources are then used to define the zone of influence (Zoi)<sup>1</sup> of the project as detailed in Section 2.3

The European Commission Notice (2021) on the 'Assessment of plans and projects in relation to Natura 2000 sites – Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC, states that in identifying European sites (Natural 2000 sites), which may be affected by the project, the following should be identified:

- Any European sites geographically overlapping with any of the actions or aspects of the plan or project in any of its phases, or adjacent to them;
- Any European sites within the likely zone of influence of the plan or project. European sites located in the surroundings of the plan or project (or at some distance) that could still be indirectly affected by aspects of the project, including as regards the use of natural resources (e.g., water) and various types of waste, discharge or emissions of substances or energy;
- European sites whose connectivity or ecological continuity can be affected by the plan or project.

The process of determining the likelihood of significant effects from a proposed project on European sites is an iterative process centred around a Source-Pathway-Receptor (S-P-R) model. In order for an effect to be established, all three elements of this mechanism must be in place. The absence or removal of one of the elements of the mechanism is sufficient to conclude that a potential effect is not of any relevance or significance.

- Source(s) – e.g., pollutant run-off, noise, removal of vegetation etc.;
- Pathway(s) – ecological connectivity linkages e.g., groundwater connecting to nearby qualifying wetland habitats; and,
- Receptor(s) – ecological resources supporting the qualifying habitats and species of European sites.

In the context of this report, a receptor is an ecological feature that is known to be utilised by the Qualifying Interests (QI) or Special Conservation Interests (SCI) of a European site. A source is any identifiable element of the proposed project that is known to interact with ecological processes. A pathway is any connection or link between the source and the receptor<sup>2</sup>.

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<sup>1</sup> The zone of influence is the area which the sources for impacts are likely to have effect - emanating outwards from the subject lands.

<sup>2</sup> qualifying interest or special conservation interests of the European site in question and the known sensitivities of these key ecological receptors



An important element of the AA process is the identification of the Conservation Objectives, QIs and/ or SCIs of European sites requiring assessment. QIs are the habitat features and species listed in Annexes I and II of the Habitats Directive for which each European site has been designated and afforded protection. SCIs are wetland habitats and bird species listed within Annexes I and II of the Birds Directive. It is also vital that the threats to the ecological / environmental conditions that are required to support QIs and SCIs are considered as part of the assessment.

The potential for in-combination effects with other plans and projects is also assessed having regard to the identified impacts of the proposed project relative to the spatial temporal effects along the ecological pathways identified (see Section 3.2).

The likelihood of significant effects on the European Sites is then interrogated having regard to the sensitivity of each European site with pathways for impacts associated with the proposed project on its own and in combination with other plans and projects. Where significant effects are determined to be likely, or where there is uncertainty regarding the likelihood of significant effects, the proposed project will be required under law to be subjected to stage 2 AA and the preparation of a Natura Impact Statement (NIS).

Having regard to the European Commission Communication on the Precautionary Principle (European Commission, 2000) the:

*“absence of scientific evidence on the significant negative effect of an action cannot be used as justification for approval of this action. When applied to Article 6(3) procedure, the precautionary principle implies that the absence of a negative effect on Natura 2000 sites has to be demonstrated before a plan or project can be authorised. In other words, if there is a lack of certainty as to whether there will be any negative effects, then the plan or project cannot be approved.”*

This AA screening is based on best scientific knowledge and has utilised ecological expertise. In addition, a detailed online review of published scientific literature and ‘grey’ literature was conducted. This included a detailed review of the National Parks and Wildlife Website including mapping and available reports for relevant sites and in particular sensitive qualifying interests/special conservation interests described and their conservation objectives.





## 2. DESCRIPTION AND BACKGROUND TO THE PROPOSED AMENDMENT TO THE CSP

### 2.1 Overview of the Common Agricultural Policy Strategic Plan 2023-2027

These amendments relate to Ireland's Common Agricultural Policy Strategic Plan 2023-2027 (CSP). The core legislative proposals were published by the EU Commission in June 2018, of which draft Regulation (COM 2018) 3921 sets out the principal proposals for mainstream CAP financial support of agriculture, farming and rural development. After extensive negotiations, the European Parliament, the Council of the EU, and the European Commission reached a political agreement in June 2021.

Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No.1307/2013.

The strategic statement for the CAP Strategic Plan sets out the main expected achievements and interventions of the plan. The strategic aim of the plan is for it to underpin the sustainable development of Ireland's farming and food sector by supporting viable farm incomes and enhancing competitiveness, by strengthening the socio-economic fabric of rural areas, and by contributing to the achievement of environmental and climate objectives at national and EU levels.

A total budget of €9.8 billion will be provided for under CAP, with supports provided for: via the European Agricultural Guarantee Fund (EAGF) for Pillar I measures: via the European Union via the European Agricultural Fund for Rural Development (EAFRD) and by the national Exchequer for Pillar II measures.

Supports will be based on direct payments and the implementation of the CAP Strategic Plan's green architecture. The mechanism for the delivery of direct payments will be the Basic Income Support for Sustainability (BISS) under Pillar I. This payment is designed to provide a direct income support to Irish farmers to underpin their continued sustainability and viability and to support farmers in their continued delivery of a secure food supply.

The green architecture of the CAP Strategic Plan establishes the mechanisms for the delivery of support that aims to align the continued delivery of a secure food supply with the environmental and climate action ambitions. The green architecture will operate across both pillars of CAP funding and will be implemented by three core elements, namely Conditionality; Pillar I Eco-schemes; and Pillar II climate/environment and animal welfare related interventions. Conditionality sets the base line requirements for farmers in receipt of CAP Payments. Consisting of Statutory Management Requirements (SMRs) and standards for the maintenance of land in Good Agricultural and Environmental Condition (GAECs), Ireland proposes to implement a system of enhanced conditionality through the CSP.

Pillar I eco-schemes is a voluntary scheme that will strengthen the environment and climate outcomes achieved by Pillar I payments, by building on baseline improvements achieved through conditionality. Regulations require at least 25% of the Pillar I CAP budget to be devoted to Eco-Schemes. Ireland proposes to introduce an Eco-Scheme "for all farmers" with the objective being to maximise farmer participation to achieve climate and environmental improvements across all farmed lands.



Pillar II interventions represent voluntary environmentally focused interventions that aim to deliver significant long-term environmental improvement through participation by a significant number of farmers, with each making a strong improvement on their farm. This broad range of interventions will build on, and complement, achievements under Conditionality and Eco-Schemes.

## 2.2 Proposed Amendment No. 2

The majority of the changes in this amendment are technical and clerical in nature. Of note is the update to the On Farm Capital Investment Scheme to introduce support for solar panels for own holding production (60% aid rate), and increasing grant rates for investments in Organics, Farm Safety, Low Emission Slurry Spreading Equipment (LESS) from 50% to 60%. The Pigs and Poultry investment ceiling is increased to €500,000 and introducing a higher 70% support rate for investments in nutrient storage facilities to aid the importation of organic nutrients on farm holdings and a dedicated nutrient storage ceiling. In addition, the deadline for ACRES training requirement has been amended to give the possibility for an extension in certain limited circumstances. A technical adjustment to the minimum rate for Eco-Scheme to cater for the possibility of a higher number of participants and/or land coming into the scheme in future years. On conditionality, GAEC 2 will be updated to indicate that it will now be implemented from 2025, rather than 2024. A summary of the amendments is provided below - Table 2-1 - and these assessments should be read in conjunction with the amendment itself:

**Table 2-1: Summary of the changes within Amendment No. 2 to the Common Agricultural Policy Strategic Plan 2023-2027**

IE CSP Section	Summary of amendment
3.10.1.2 GAEC 2	GAEC 2 has been changed to reflect the fact that it will be implemented from 2025, rather than 2024. This delayed implementation is necessary for the establishment of the management system. This further lead time is required (i) to better define and map these areas, (ii) to allow for the development of the management systems to implement the standard.
	(1) As regards the mapping aspect (point (i) above), while it was initially planned that the work on identification and mapping of peatland/wetland areas would be completed by the end of 2023, this is no- longer feasible, despite ongoing efforts to collect all necessary data and evidence on time including research outputs. During the course of 2022/2023, consideration was given to using existing mapping data for the implementation of GAEC 2. However, DAFM found that technical issues related to the scale of the current map (i.e. the peatland layers vary in scale from 1:100,000 – 1:150,000 compared to 1:5,000 for the LPIS layer), and some mismatches between the peatland map layer boundaries and the LPIS parcel boundaries, poses some challenges when intersecting these layers on the LPIS and defining the areas to be covered by GAEC 2. Moreover, upcoming results of ongoing research projects, aimed at mapping and monitoring peatlands/wetland, are expected to add essential further mapping data to help address the above issues and better identify and map “candidate” peatland/wetland areas. This further information is expected to be available in the first quarter of 2024.
	Given the uncertainties as to the areas to be covered, which could entail two consecutive amendments of GAEC 2 in the CSP, DAFM concluded that the available mapping data in 2023, may not provide for a stable legal framework that is crucial for farmers planning.
	(2) The development of the management system (point (ii) above) is dependent on the setting of a stable map of peatland/wetland areas. Adjustments in the mapped



	areas during the course of 2024 is not technically feasible, since the development of the management system entails a number of steps:
	(i) Creating the final map (electronic layer) compatible with the LIPS layer (completion anticipated by the end of May),
	(ii) Overlay this map with the LPIS layer in order to identify the candidate parcels for the application of the GAEC 2 requirements and development of IT interface for farmers to interact with this layer (expected by the end of May/early June).
	(iii) Identification and characterisation of the type of land covered (e.g. tillage, grassland) and finalise the requirements to meet the objective of the standard – maintenance/protection of carbon-rich soils. While initial work has been carried out on potential requirements, further consideration is required taking into account the mapping and characterisation exercises and the need to ensure that on the land concerned, an agricultural activity suitable for qualifying the land as agricultural area, may be maintained. It is anticipated that this process will be completed by the end of June 2024.
	Mapping rules and the requirements will be presented to the Commission services in late summer, after a broader consultation on the final standard requirements with stakeholders, thus allowing sufficient time for preparation and implementation from 2025. Formal submission is expected to take place in early September, after consultation with the Monitoring Committee.
53ESSPO – Early-Stage Support for Producer Organisations	Added the dairy sector to the list of sectors eligible for support based on stakeholder feedback that providing early-stage financial support could potentially deliver consolidation of local supply as well as collaborative working, knowledge sharing, and better food security.
53 On Farm Capital Investment Scheme	- Grant aid for investments in Organics, Farm Safety, LESS increased from 50% to 60% to match what is currently available in the RDP.
	- Pigs & Poultry ceiling increased to €500,000.
	- New / updated legislation added in scheme description.
	-Introduction of investments for equines to improve facilities for housing, training and fencing, to support diversification options and align with RDP support, a minimum of 3 equines and 5ha land declared under BPS or BISS is required to make application.
	-Clarification of maximum grant rates across various investment schemes and the overall maximum amount payable.
	Solar Investment Scheme added. Support will be provided for grant-aid (60% rate) for the investment in solar pv systems to assist farmers in maximising their contribution to the production of renewable energy.
	-Nutrient Importation Storage Scheme added to address water quality issues, air quality and climate adaptation. A grant rate of 70% will be available for the provision of new organic fertiliser storage facilities for farmers with contracts in place to import organic fertiliser.
	-WTO section updated to better align the text point with point (d), Paragraph 11 of Annex II WTO and avoid any potential administrative mismatch.



Sections 2.1.SO7.4, 2.1.SO7.8, 2.1.SO7.9, 2.3, 5.1 BISS, 5.1 CRISS	Removed the link between BISS and CRISS to SO7. Commission indicator fiches do not allow for BISS/CRISS to be linked to SO7. BISS and CRISS no longer contribute towards IE achievement of SO7. Result Indicator 4 no longer linked to SO7.
2.1.SO5.1 Summary of the SWOT Analysis Section 2.3.3 51ECO - Eco-Scheme References to Nitrates Action Plan and River Basin Management Plan in the CSP corrected to reflect the current state of play for clarity and consistency.	References to Nitrates Action Plan and River Basin Management Plan in the CSP corrected to reflect the current state of play for clarity and consistency.
Annex 7.3 EAGF	Annex to Section 7.3 EAGF will be updated based on further refinements to controls and penalties across schemes. In this case, this will be updated to include the following paragraph:
	<p>"In relation to area based applications, non-compliances usually affect parts of areas. Over-declarations in respect of one parcel may, therefore, be off-set against under-declarations of other parcels.</p> <p>Administrative penalties should only become applicable where the area difference is greater than 0.1 hectare. Where the area difference is less than or equal to 0.1 hectare, the payment shall be based upon the area declared."</p>
Annex to Section 7.3 EAFRD	Annex to Section 7.3 EAFRD will be updated based on further refinements to controls and penalties across schemes.
	In this case: Administrative checks under SIM narrative updated to reflect that a sample of applicants will not be requested to provide evidence of eligible crops as 100% of SIM applicants are subject to Area Monitoring System (AMS) checks which, through the use of satellite imagery has the capability to verify the crop declared.
	In the event the Area Monitoring System is unable to provide verification of the crop declared for SIM, applications will go for expert judgement and or a Rapid Field Inspection Visit which will provide clarity as to the crop within the parcel.
	These robust measures negate the need for the admin check seeking evidence of a crop which has already been verified by the AMS.
53AECMGEN - AECM General 53AECMTR - Training to Implement Agri-Environment-Climate Measure	<p>The AECMTR (ACRES Training Scheme) puts in place a framework whereby courses are provided by approved ACRES Trainers for ACRES participants to fulfil this requirement. This ACRES training requirement deadline for training all beneficiaries by the end of year 1, is now changed to allow DAFM to grant up to a 3- month extension to facilitate advisor workload balance, in certain circumstances as per below.</p> <p>While every effort is made to ensure that all ACRES participants are trained by 31 December, this can be challenging to achieve in certain circumstances as explained below.</p>



	<p>(i) Due to the nature and ambition of the ACRES, which is a hybrid scheme involving a significant result- based payment component, the associated result-based actions were all required to be scored over summer months, which means extensive and time-consuming fieldwork for advisors (trainers). This results in a significantly increased workload for advisors (trainers) compared to traditional AECMs in Ireland. Given the competing work demands on the trainers/farm advisors, this work may take longer to complete and hence have knock-on impacts to the commencement, scheduling and completion of ACRES training courses for farmers.</p> <p>(ii) Trainers (Farm Advisors) are very busy in the first part of the year and well into the summer months, preparing/submitting/amending applications and advising farmers across various CSP schemes for example BISS, EcoScheme, Organics, etc. and including ACRES. The heavy workload period is extended further for the 800 advisors who have an intensive period in the summer months carrying out the assessment and scoring of lands associated with results-based actions in ACRES. These other commitments can thus impact on the capacity of advisors and result in delays in commencing and completing the ACRES scoring workload on time and hence may have a knock-on impact as per (i) above.</p>
Ecoscheme technical adjustment 51ECO - Eco-Scheme	The minimum rate for payment was previously estimated based on a maximum of 129,000 participants and approx.. 4.516 million hectares (based on 2021 BPS applications) of land giving a minimum rate of €66/ha. The minimum rate is now changed to €60. This new minimum rate only applies from 2024 onwards. This is a technical adjustment to cater for the possibility of a higher number of participants and/ or land coming into the Scheme in future years.
Section 5.3 AECMTR  Correction to an obvious error pursuant to Article 119(12) of Regulation (EU) 2021/2115 in the unit of measurement used in output indicator 33 and the associated unit amount for 53AECMTR intervention	<p>This is a correction to an obvious error in the unit of measurement used in output indicator 33 and the associated unit amount for 53AECMTR intervention (i.e. ACRES training). Data currently provided for O.33 refer to the number of training participants (e.g. 17,500 for 2023; 25,000 for 2024), which is incorrect as per the cover note on output and result indicators and further guidance provided by the European Commission. The number of expected training facilitators/knowledge provider (approx. 450) should be used for O.33 under the 53AECMTR intervention instead of the number of training participants. This correction will not impact the implementation of the intervention, as eligibility conditions and rules on payments for beneficiaries remain unchanged.</p> <p>This correction is considered an obvious error within the meaning of Article 119(12) of Regulation (EU) 2021/2115 and will thus have a retroactive effect as of the date of adoption of the CAP Strategic Plan for Ireland.</p>

## 2.3 Relationship with other Relevant Plans and Programmes

The Proposed Amendment must comply with the CSP and relevant higher-level strategic actions and may, in turn, guide lower-level strategic actions. The Proposed Amendment is subject to a number of high-level environmental protection policies and objectives with which it must comply, the Strategic Environmental Objectives in Section 6 of the CSP SEA Environmental Report and the mitigation measures within the Section 9 of the document and Section 6 of the Natura Impact Report (NIR). The NIR for the initial CSP concluded the following:



*The CAP Strategic Plan does not indicate the precise location of any land use measures to be implemented under the Plan but is underpinned by an approach of the “right measure for the right place”. This approach along with the mitigation measures and recommendations outlined in Section 6 that will be adhered to throughout the lifetime of the Strategic Plan will provide sufficient safeguards that will not have adverse effects on the integrity of any European Sites.*

Therefore, the amendment must be considered in relation to the current CSP which has already been subject to SEA and AA considerations. All amendments are considered therefore in the context of potential additional sources for impacts/effects which were not previously considered.



### 3. SCREENING FOR APPROPRIATE ASSESSMENT

#### 3.1 Introduction to Screening

This stage of the process identifies any likely significant effects to European Sites from a project or plan, either alone or in combination with other projects or plans. The screening phase was progressed in the following stages. A series of questions are asked during the Screening Stage of the AA process in order to determine:

- Whether a plan or project can be excluded from AA requirements because it is directly connected with or necessary to the management of a European Site.
- Whether the plan or project will have a potentially significant effect on a European Site, either alone or in combination with other projects or plans, in view of the site's conservation objectives or if residual uncertainty exists regarding potential impacts.

An important element of the AA process is the identification of the “conservation objectives”, “Qualifying Interests” (QIs) and/ or “Special Conservation Interests” (SCIs) of European Sites requiring assessment. QIs are the habitat features and species listed in Annexes I and II of the Habitats Directive for which each European Site has been designated and afforded protection. SCIs are wetland habitats and bird species listed within Annexes I and II of the Birds Directive. It is also vital that the threats to the ecological / environmental conditions that are required to support QIs and SCIs are considered as part of the assessment.

Site-Specific Conservation Objectives (SSCOs) have been designed to define favourable conservation status for a particular habitat or species at that site. According to the European Commission interpretation document ‘Managing Natura 2000 sites: The provisions of Article 6 of the Habitats Directive 92/43/EEC’, paragraph 4.6(3) states:

*“The integrity of a site involves its ecological functions. The decision as to whether it is adversely affected should focus on and be limited to the site's conservation objectives.”*

Favourable conservation status of a habitat is achieved when:

- Its natural range, and area it covers within that range, are stable or increasing;
- The specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future; and
- The conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

- Population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats;
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future; and
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.





The screening stage of the AA takes account of the elements detailed above with regard to the details and characteristics of the Project or plan to determine if potential for effects to the integrity of the European Site are likely. The characteristics of the Plan were constructed through an iterative process, as a result the European Sites which are screened below may differ from those of high-level plans, due to refinements in the methods/Project details available.

### 3.2 Assessment Criteria

Sites are screened out based on one or a combination of the following criteria:

- Where it can be shown that there are no pathways such as hydrological links between the Proposed amendments, and the European Site being screened;
- Where the site is located at a distance from Proposed amendments area such that effects are not foreseen;
- Where known threats or vulnerabilities at a site cannot be linked to potential effects that may arise from the Proposed amendments.

The following parameters are described when characterising impacts (following CIEEM (2016), EPA (2002) and NRA (2009)):

- **Direct and Indirect Impacts** - An impact can be caused either as a direct or as an indirect consequence of a proposed development.
- **Magnitude** - Magnitude measures the size of an impact, which is described as high, medium, low, very low or negligible.
- **Extent** - The area over which the impact occurs – this should be predicted in a quantified manner.
- **Duration** - The time for which the effect is expected to last prior to recovery or replacement of the resource or feature.
  - Temporary: Up to 1 Year;
  - Short Term: The effects would take 1-7 years to be mitigated;
  - Medium Term: The effects would take 7-15 years to be mitigated;
  - Long Term: The effects would take 15-60 years to be mitigated; and
  - Permanent: The effects would take 60+ years to be mitigated.
- **Likelihood** - The probability of the effect occurring taking into account all available information.
  - Certain/Near Certain: >95% chance of occurring as predicted;
  - Probable: 50-95% chance as occurring as predicted;
  - Unlikely: 5-50% chance as occurring as predicted; and
  - Extremely Unlikely: <5% chance as occurring as predicted.





The Chartered Institute of Ecology and Environmental Management (CIEEM) guidelines for ecological impact assessment (2016) define: an ecologically significant impact as an impact (negative or positive) on the integrity of a defined site or ecosystem and/or the conservation status of habitats or species within a given geographic area; and the integrity of a site as the coherence of its ecological structure and function, across its whole area, which enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was classified.

The Habitats Directive requires the focus of the assessment at this stage to be on the integrity of the site as indicated by its Conservation Objectives. It is an aim of NPWS to draw up conservation management plans for all areas designated for nature conservation. These plans will, among other things, set clear objectives for the conservation of the features of interest within a site.

SSCOs have been prepared for a number of European Sites. These detailed SSCO's aim to define favourable conservation condition for the qualifying habitats and species at that site by setting targets for appropriate attributes which define the character habitat. The maintenance of the favourable condition for these habitats and species at the site level will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.

*Favourable conservation status of a species can be described as being achieved when: 'population data on the species concerned indicate that it is maintaining itself, and the natural range of the species is neither being reduced or likely to be reduced for the foreseeable future, and there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.'*

*Favourable conservation status of a habitat can be described as being achieved when: 'its natural range, and area it covers within that range, is stable or increasing, and the ecological factors that are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and the conservation status of its typical species is favourable'.*

Generic Conservation Objectives for SACs have been provided as follows:

- To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.

One generic Conservation Objective has been provided for SPAs as follows:

- To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.

EC guidance<sup>3</sup> outlines the types of effects that may affect European sites. These include effects from the following activities:

- Land take;
- Resource Requirements (Drinking Water Abstraction Etc.);
- Emissions (Disposal to Land, Water or Air);
- Excavation Requirements;
- Transportation Requirements;

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<sup>3</sup> Assessment of plans and Projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, European Commission Environment DG, 2001.



- Duration of Construction, Operation, Decommissioning.

In addition, the guidance outlines the following likely changes that may occur at a designated site, which may result in effects on the integrity and function of that site:

- Reduction of Habitat Area.
- Disturbance to Key Species.
- Habitat or Species Fragmentation.
- Reduction in Species Density.
- Changes in Key Indicators of Conservation Value (Water Quality Etc.).
- Climate Change.

### 3.3 Elements of the Proposed amendments with Potential to Give Rise to Effects

The proposed amendments generally have a negligible influence on other plans or programmes. Amendment primarily relates to clerical and technical amendments to the plan to reflect the reality. There are changes to the timeline for Good Agricultural and Environmental Conditions (GAEC) 2 and the ACRES Training Scheme. These relate to management systems and set up which were not achieved as per the detail within the existing plan.

With regard to the ACRES training Scheme in tranche 1. The implementation of the works has been effected by unforeseen delays due to increased workload on advisors, owing to the nature of the new results-based approach under ACRES. The amendments are to clarify the changes in this respect to ensure the plan reflects reality and assist advisors in achieving an appropriate workload balance when servicing and prioritising work across a number of CSP Schemes. Therefore some limited flexibility on the timeline for completion of the training is proposed.. This is in keeping with the environmental considerations of the existing SEA ER and NIR for the overall CSP in the context of potential sources for effects. These amendments clarify the ongoing and revised processes to accommodate increased numbers. The implementation of the works has been effected by unforeseen delays. The amendments are to clarify the changes in this respect to ensure the plan reflects the reality. These changes are a result of increased participant uptake in tranche one than previously anticipated.

The delays to GAEC 2 and the ACRES training scheme do not introduce any additional sources for effects, as the works related to actions under any schemes are also connected to the implementation thus, any such source emissions are equally delayed. Furthermore, the actions under the CSP to which the amendment relates are positive in nature with regard to the environment and the delay in these do not introduce additional sources for effects which were not considered by the previous CSP and associated environmental reports. Some of the proposed amendments relate to GAEC defined in the CSP, which are for the purpose of improving performance in the agriculture sector. A full list of the amendments and the environmental evaluation of each can be found below (Table 3-1). They do not introduce any potential environmental effects that have not already been considered in the existing SEA/AA processes undertaken for the CSP.



**Table 3-1: Evaluation of Potential Environmental Implications of each Proposed change or correction in the second amendment to the CSP**

Area	Summary of change or correction	Evaluation of Potential Environmental Implications of each Proposed change or correction to the CSP
3.10.1.2 GAEC 2	GAEC 2 has been changed to reflect the fact that it will be implemented from 2025, rather than 2024. This delayed implementation is necessary for the establishment of the management system. This further lead time is required (i) to better define and map these areas, (ii) to allow for the development of the management systems to implement the standard.	<p>The implementation of the standard has been affected by unforeseen delays. The amendments are to clarify the changes in this respect to ensure the plan reflects the reality. This has been amended to give more time to establish a mapping system as well as management systems for this new standard.</p> <p>The delays do not introduce any additional sources for effects, as the works related to actions are also connected to the implementation thus, any such source emissions are equally delayed. Furthermore, the actions under the CSP to which the amendment relates are positive in nature with regard to the environment and the delay in these do not introduce additional sources for effects which were not considered by the previous CSP and associated environmental reports.</p>
	(1) As regards the mapping aspect (point (i) above), while it was initially planned that the work on identification and mapping of peatland/wetland areas would be completed by the end of 2023, this is no- longer feasible, despite ongoing efforts to collect all necessary data and evidence on time including research outputs. During the course of 2022/2023, consideration was given to using existing mapping data for the implementation of GAEC 2. However, DAFM found that technical issues related to the scale of the current map (i.e. the peatland layers vary in scale from 1:100,000 – 1:150,000 compared to 1:5,000 for the LPIS layer), and some mismatches between the peatland map layer boundaries and the LPIS parcel boundaries, poses some challenges when intersecting these layers on the LPIS and defining the areas to be covered by GAEC 2. Moreover, upcoming results of ongoing research projects, aimed at mapping and monitoring peatlands/wetland, are expected to add essential further mapping data to help address the above issues and better identify and map “candidate”	Delays in the mapping will result in delayed action - however, this delay (in the context of the CSP) does not introduce any sources for potential effects. The existing land uses will continue in some regard while the mapping detail is being gathered. This delay is not likely to have significant effects on the receiving environment which was not already considered by the existing SEA ER and associated NIR.



	<p>peatland/wetland areas. This further information is expected to be available in the first quarter of 2024.</p> <p>Given the uncertainties as to the areas to be covered, which could entail two consecutive amendments of GAEC 2 in the CSP, DAFM concluded that the available mapping data in 2023, may not provide for a stable legal framework that is crucial for farmers planning.</p>	
	<p>(2) The development of the management system (point (ii) above) is dependent on the setting of a stable map of peatland/wetland areas. Adjustments in the mapped areas during the course of 2024 is not technically feasible, since the development of the management system entails a number of steps:</p> <p>(i) Creating the final map (electronic layer) compatible with the LPIS layer (completion anticipated by the end of May),</p> <p>(ii) Overlay this map with the LPIS layer in order to identify the candidate parcels for the application of the GAEC 2 requirements and development of IT interface for farmers to interact with this layer (expected by the end of May/early June).</p> <p>(iii) Identification and characterisation of the type of land covered (e.g. tillage, grassland) and finalise the requirements to meet the objective of the standard – maintenance/protection of carbon-rich soils. While initial work has been carried out on potential requirements, further consideration is required taking into account the mapping and characterisation exercises and the need to ensure that on the land concerned, an agricultural activity suitable for qualifying the land as agricultural area, may be maintained. It is anticipated that this process will be completed by the end of June 2024.</p> <p>Mapping rules and the requirements will be presented to the Commission services in late summer, after a broader consultation on the final standard requirements with stakeholders, thus allowing sufficient time for preparation and implementation from 2025. Formal submission is expected to take place in early September, after consultation with the Monitoring Committee.</p>	As above.
53ESSPO – Early-Stage Support for	<p>Added the dairy sector to the list of sectors eligible for support based on stakeholder feedback that providing early-stage financial support could potentially delivery consolidation of local supply as well as collaborative working, knowledge sharing, and better food security.</p>	<p>This is a technical correction. Adding the dairy sector as a stakeholder for feedback increases the knowledge base from which decisions within the CSP framework can be made. This addition does not introduce any additional</p>



Producer Organisations		sources for effects with regard to environmental interactions.
53 On Farm Capital Investment Scheme	-Grant aid for investments in Organics, Farm Safety, LESS increased from 50% to 60% to match what is currently available in the RDP.	These amendments relate to increased financial aid for actions which have environmental benefits which were already considered in the CSP and associated environmental reports. Increasing the investment rate will aid demand for the scheme which will further support the environmental ethos of the previous assessment. There are no sources for additional effects introduced by the amendments.
	- Pigs & Poultry ceiling increased to €500,000.	
	- New / updated legislation added in scheme description.	
	-Introduction of investments for equines to improve facilities for housing, training and fencing, to support diversification options and align with RDP support, a minimum of 3 equines and 5ha land declared under BPS or BISS is required to make application.	
	-Clarification of maximum grant rates across various investment schemes and the overall maximum amount payable.	
	-Solar Investment Scheme added. Support will be provided for grant-aid (60% rate) for the investment in solar pv systems to assist farmers in maximising their contribution to the production of renewable energy.	
	-Nutrient Importation Storage Scheme added to address water quality issues, air quality and climate adaptation. A grant rate of 70% will be available for the provision of new organic fertiliser storage facilities for farmers with contracts in place to import organic fertiliser.	
	-WTO section updated to better align the text point with point (d), Paragraph 11 of Annex II WTO and avoid any potential administrative mismatch.	
Sections 2.1.SO7.4, 2.1.SO7.8, 2.1.SO7.9, 2.3, 5.1 BISS, 5.1 CRISS	Removed the link between BISS and CRISS to SO7. Commission indicator fiches do not allow for BISS/CRISS to be linked to SO7. BISS and CRISS no longer contribute towards IE achievement of SO7. Result Indicator 4 no longer linked to SO7.	<b>Background:</b> Complementary Redistributive Income Support for Sustainability (CRISS) is a new scheme that is often referred to as "front loading". It is designed to redistribute CAP funds from larger farms to medium and smaller sized farms.



		<p>The Basic Income Support for Sustainability (BISS) replaces the Basic Payment Scheme (BPS). The BISS is designed to provide a direct income support to Irish farmers to underpin their continued sustainability and viability.</p> <p>SO7 - Attract and sustain young farmers and other new farmers and facilitate sustainable business development in rural areas</p> <p><b>Amendment:</b></p> <p>This technical correction is to align with the indicator metrics being used to assess the implementation. These amendments do not have additional sources for effects which were not already considered by the higher order assessments. These do not introduce any functional changed just points of clarification.</p>
<p>2.1.SO5.1 Summary of the SWOT Analysis Section 2.3.3 51ECO - Eco-Scheme References to Nitrates Action Plan and River Basin Management Plan in the CSP corrected to reflect the current state of play for clarity</p>	<p>References to Nitrates Action Plan and River Basin Management Plan in the CSP corrected to reflect the current state of play for clarity and consistency.</p>	<p>Clarifications relate to interactions between the implementation of the CSP and the Nitrates Action Programme 2022 - 2025 and River Basin Management Plan. These do not introduce any functional changed just points of clarification.</p>



and consistency.		
Annex to Section 7.3 EAGF	Annex to Section 7.3 EAGF will be updated based on further refinements to controls and penalties across schemes. In this case, this will be updated to include the following paragraph:	This update makes small changes to assignment of parcels to offset non-compliances. These changes are still subject to all other environmental considerations and constraints within the existing CSP and therefore it does not introduce any sources of additional environmental impacts not previously considered.
	“In relation to area based applications, non-compliances usually affect parts of areas. Over-declarations in respect of one parcel may, therefore, be off-set against under-declarations of other parcels.	
	Administrative penalties should only become applicable where the area difference is greater than 0.1 hectare. Where the area difference is less than or equal to 0.1 hectare, the payment shall be based upon the area declared.”	This update makes small changes to the administrative controls and penalties defined in the 'Governance and Coordination System' section of the plan. It does not introduce any sources of additional environmental impacts not previously considered.
Annex to Section 7.3 EAFRD	Annex to Section 7.3 EAFRD will be updated based on further refinements to controls and penalties across schemes.	SIM - Straw Incorporation Measure is a payment for chopping straw and incorporating it into the soil. Clarification as to the realized process due to the functional benefits of the AMS system. The AMS system will be used to decide eligibility - thus not all applicants will be required to provide evidence. This is a process clarification that has no environmental implications.
	In this case: Administrative checks under SIM narrative updated to reflect that a sample of applicants will not be requested to provide evidence of eligible crops as 100% of SIM applicants are subject to Area Monitoring System (AMS) checks which, through the use of satellite imagery has the capability to verify the crop declared.	
	In the event the Area Monitoring System is unable to provide verification of the crop declared for SIM, applications will go for expert judgement and or a Rapid Field Inspection Visit which will provide clarity as to the crop within the parcel.	



	These robust measures negate the need for the admin check seeking evidence of a crop which has already been verified by the AMS.	
Amendment to AECM General and Training to Implement Agri-Environment-Climate Measure	<p>The AECMTR (ACRES Training Scheme) puts in place a framework whereby courses are provided by approved ACRES Trainers for ACRES participants to fulfil this requirement. This ACRES training requirement deadline for training all beneficiaries by the end of year 1, is now changed to allow DAFM to grant up to a 3- month extension to facilitate advisor workload balance, in certain circumstances as per below.</p> <p>While every effort is made to ensure that all ACRES participants are trained by 31 December, this can be challenging to achieve in certain circumstances as explained below.</p>	The implementation of the works has been affected by unforeseen delays due to increased workload on advisors, owing to the nature of the new results-based approach. The amendments are to clarify the changes in this respect to ensure the plan reflects the reality
	<p>i) Due to the nature and ambition of the ACRES, which is a hybrid scheme involving a significant result- based payment component, the associated result-based actions were all required to be scored over summer months, which means extensive and time-consuming fieldwork for advisors (trainers). This results in a significantly increased workload for advisors (trainers) compared to traditional AECMs in Ireland. Given the competing work demands on the trainers/farm advisors, this work may take longer to complete and hence have knock-on impacts to the commencement, scheduling and completion of ACRES training courses for farmers.</p>	The delays do not introduce any additional sources for effects, as the works related to actions under any schemes are also connected to the implementation thus, any such source emissions are equally delayed. Furthermore, the actions under the CSP to which the amendment relates are positive in nature with regard to the environment and the delay in these do not introduce additional sources for effects which were not considered by the previous CSP and associated environmental reports.
	<p>(ii) Trainers (Farm Advisors) are very busy in the first part of the year and well into the summer months, preparing/submitting/amending applications and advising farmers across various CSP schemes for example BISS, EcoScheme, Organics, etc. and including ACRES. The heavy workload period is extended further for the 800 advisors who have an intensive period in the summer months carrying out the assessment and scoring of lands associated with results-based actions in ACRES. These other commitments can thus impact on the capacity of advisors and result in delays in commencing and completing the ACRES scoring workload on time and hence may have a knock-on impact as per (i) above.</p>	





<p>Ecoscheme technical adjustment 51ECO - Eco-Scheme</p>	<p>The minimum rate for payment was previously estimated based on a maximum of 129,000 participants and approx.. 4.516 million hectares (based on 2021 BPS applications) of land giving a minimum rate of €66/ha. The minimum rate is now changed to €60. This new minimum rate only applies from 2024 onwards. This is a technical adjustment to cater for the possibility of a higher number of participants and/ or land coming into the Scheme in future years.</p>	<p>This is a technical correction to an optional scheme which is being revised due to the area calculations related to the overall budgets. The correction will not affect 2023 and only comes into place in 2024. The upper range will be consistent with current (€78). The overall uptake of the scheme has been greater than the estimated uptake. The reduction in minimum rates from €66 to €60 per hectare has economic implications. However, these are opt in schemes and therefore the change does not inherently effect the economic viability of any farming enterprise - merely reduces the benefits from opting in. As the numbers are already beyond the estimates - this is not identified to have any adverse environmental implications which were not already considered in the existing CSP.</p>
<p>Section 5.3 AECM TR</p>	<p>This is a correction to an obvious error in the unit of measurement used in output indicator 33 and the associated unit amount for 53AECMTR intervention (i.e. ACRES training). Data currently provided for O.33 refer to the number of training participants (e.g. 17,500 for 2023; 25,000 for 2024), which is incorrect as per the cover note on output and result indicators and further guidance provided by the European Commission. The number of expected training facilitators/knowledge provider (approx. 450) should be used for O.33 under the 53AECMTR intervention instead of the number of training participants. This correction will not impact the implementation of the intervention, as eligibility conditions and rules on payments for beneficiaries remain unchanged.</p> <p>This correction is considered an obvious error within the meaning of Article 119(12) of Regulation (EU) 2021/2115 and will thus have a retroactive effect as of the date of adoption of the CAP Strategic Plan for Ireland.</p>	<p>This is a correction to an obvious error in the unit of measurement used in output indicator 33 and the associated unit amount for 53AECMTR intervention (i.e. ACRES training). Data currently provided for O.33 refer to the number of training participants (e.g. 17,500 for 2023; 25,000 for 2024), which is incorrect as per the cover note on output and result indicators and further guidance provided by the European Commission. The number of expected training facilitators/knowledge provider (approx. 450) should be used for O.33 under the 53AECMTR intervention instead of the number of training participants. This correction will not impact the implementation of the intervention, as eligibility conditions and rules on payments for beneficiaries remain unchanged.</p> <p>This correction is considered an obvious error within the meaning of Article 119(12) of Regulation (EU) 2021/2115 and will thus have a retroactive effect as of the date of adoption of the CAP Strategic Plan for Ireland.</p>



		The indicative financial allocation for IEs CSP and 53AECMTR will remain the same as this is a correction to the unit of measurement of the output. There is no impact on the financing plan - this is not identified to have any adverse environmental implications which were not already considered in the existing CSP.
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### 3.4 Other Plans and Programs

Article 6(3) of the Habitats Directive requires an assessment of a plan or project to consider other plans or programmes that might, in combination with the plan or project, have the potential to adversely impact upon European Sites. There are no additional sources for effects identified within the Proposed amendments; therefore, there are no in-combination effects.



## 4. CONCLUSION

Stage 1 Screening for AA of Amendment No. 2 to Ireland's Common Agricultural Policy Strategic Plan 2023-2027 for the Department of Agriculture, Food and the Marine has been carried out. It has been demonstrated that implementation of the proposed amendments is not foreseen to have any significant effects on any European Site.

The proposed amendments do not set out a development control related framework for projects or activities, either with regard to the location, nature, size and operating conditions or by allocating resources. The principal reason for this is that the proposed amendments are to align the timelines of implementation with the realised timelines. The implementation of the works has been effected by unforeseen delays. The amendments are to clarify the changes in this respect to ensure the plan reflects the reality. These changes are a result of increased participant uptake in tranche one than previously anticipated. The delays do not introduce any additional sources for effects, as the works related to actions under any schemes are also connected to the implementation thus, any such source emissions are equally delayed. They do not introduce any potential environmental effects that have not already been considered in the existing SEA/AA processes undertaken for the CSP. It has been evaluated that the proposed amendment No. 2 has no additional sources for effect on ecological processes.

It is concluded that for the purposes of Article 6(3) of the Habitats Directive, the proposed amendment Number 2 to the CAP Strategic Plan, will not give rise to any adverse effects on designated European sites<sup>4</sup>, alone or in combination with other plans or projects. Consequently, a Stage 2 AA is not required for the amendment.

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<sup>4</sup> Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be:

- a) no alternative solution available,
- b) imperative reasons of overriding public interest for the plan/programme/strategy/project etc. to proceed; and
- c) Adequate compensatory measures in place.



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# APPENDIX 1

Author Details



## Author Details

**Lead Author - Andrew Torsney** is a Principal Ecologist with over 10 years' experience working on major national and local scale projects. Andrew graduated from University College Dublin in 2011 with a B.Sc. degree in Zoology and obtained Master's degree in Biodiversity and Conservation from the University of Leeds in 2012. He has a range of ecological skills which include habitat mapping, ecological surveying, data interpretation and report writing. Andrew is a vegetative plant specialist, who has a wealth of experience classifying riparian habitats and identifying rare floral species. Andrew has a vast knowledge of riparian and freshwater ecosystems and undertakes freshwater surveys regularly. Andrew holds 4 national protected species licenses and has a lot of experience optioning surveying licenses for aquatic species such as the white clawed crayfish. He is also a Bat specialist with a wealth of experience, in acoustic surveying and monitoring of bats. Throughout Andrews's career he has worked on a number of large-scale multifaceted projects such as the Killaloe to Dublin water supply project NIS. For this work, Andrew designed and oversaw all ecological field work relating to the Environmental Impact Assessment (EIA) and AA.

Andrew has been the principal ecologist for a range of projects including the AA of the National Wind Energy Guidelines, a number of AAs for County Councils and a range of large-scale infrastructure projects.



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