

Screening for Strategic Environmental Assessment (SEA)

Determination under Article 9(2) of the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations, 2004 (S.I. 435 of 2011), as amended

CONCERNING THE PROPOSED MINISTERIAL DIRECTION (PROPOSED TO BE MADE IN ACCORDANCE WITH SECTION 31A OF THE PLANNING AND DEVELOPMENT ACT 2000, AS AMENDED)

IN RELATION TO THE

EASTERN AND MIDLAND REGIONAL ASSEMBLY REGIONAL SPATIAL AND ECONOMIC STRATEGY 2019 – 2031

In order to comply with the requirements of Article 9(2) of the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations, 2004 (S.I. 435 of 2011), as amended, this determination has been made by the Minister for Housing, Planning and Local Government relating to the potential for the proposed Ministerial Direction (dated 9 December 2019) accompanying this determination relating to the Regional Spatial and Economic Strategy 2019-2031 (RSES), to have likely significant effects on the environment.

This determination has been made following a consideration of the information contained in the SEA Screening Report (attached to this determination), the criteria set out in Schedule 1 to S.I. 435 of 2004, as amended, and to consultation responses received from the Environmental Protection Agency, the Department of Culture, Heritage and the Gaeltacht, the Department of Agriculture, Food and the Marine (attached to this determination) and to the text of the proposed Direction itself (attached to this determination). None of the environmental authorities who provided a submission/observation advised that an SEA should be undertaken.

Following an analysis and evaluation of the relevant information, including in particular, the nature of the proposed changes and their potential for effects on the environment that could result from the implementation of the proposed Direction, the Minister accepts the recommendation of the SEA Screening Report that there is no possibility that the proposed Direction would be likely to have any significant effects on the environment.

The main reasons leading to these conclusions was that the changes to the RSES proposed in the Direction all represent a change in the level of commitments to specific rail projects as compared to the adopted RSES. These changes include a) "reappraise" the rail extension to Navan, b) "consider" Metrolink extensions "beyond Charlemont" and c) to "assess" the LUAS expansion to Hazelhatch and Booterstown prior to any decision to plan or design any proposal. These changes do not facilitate consent for these projects or provide a framework whereby they may be given consent. Rather, the changes represent a strategic intent to consider these projects. Assessments of risk of likely significant effects on the environment associated with the consent of these projects would be expected to be included during the aforementioned appraisals and assessments referred to in the changes to the RSES.

Therefore, SEA is not required for the proposed Ministerial Direction.

The Minister for Housing, Planning and Local Government having carefully considered the information in the SEA Screening Report and having regard to the advice of his officials, agrees with and adopts the reasoning and conclusion of the SEA Screening Report. The Minister hereby determines pursuant to Article 9(2) of S.I. 435 of 2004, as amended, that the proposed Direction would not have likely significant effects on the environment and therefore an SEA is not required.

Signed:



Date: 14th January 2020

Attached:

- *SEA Screening Report dated 12 December 2019 as issued to environmental authorities*
- *Proposed Ministerial Direction dated 9 December 2019 as issued to environmental authorities*
- *Email correspondence from DHPLG to environmental authorities 12 December 2019*
- *Notice to environmental authorities requesting Submissions and Observations on proposed SEA Screening Determination dated 12 December 2019*
- *Submissions/observations from environmental authorities to DHPLG (from EPA, DCHG & DAFM)*