

By email to: environmentalplanning@housing.gov.ie
SEA Submissions
Environmental Planning Policy Unit
Department of Housing, Planning and Local Government
Custom House
Dublin 1

8th January 2020

Our Ref: 191203.1

Re. SEA Screening for the Planning and Development (Amendment) Regulations 2019

Dear Mr Scott,

We acknowledge your notice, dated 20th December 2019, in relation to the Planning and Development (Amendment) Regulations 2019 (the 'Regulations') and associated Strategic Environmental Assessment (SEA) screening.

We note that the Regulations relate to 'Port Exempted Developments', and cover aspects including extensions to port operational buildings, loading/unloading areas, security considerations, signage and construction/alteration/removal of roads within ports. We also acknowledge that the exemptions shall not apply if EIA or AA is required, as per section 4(4) of the Planning and Development Act 2000, as amended, and that exemptions shall also be subject to further restrictions in Article 9 of the Planning and Development Act.

SEA Determination

We note your proposed determination regarding the need for SEA of the Regulations, as set out in the SEA Screening Report accompanying the Notice, having regard to the criteria in Schedule 1 of S.I. 435 of 2004.

Available Guidance & Resources

Our website contains various SEA resources and guidance, including:

- SEA process guidance and checklists
- topic specific SEA guidance (including *Integrating climatic factors into SEA* (EPA, 2019), *Developing and Assessing Alternatives in SEA* (EPA, 2015), and *Integrated Biodiversity Impact Assessment* (EPA, 2012))
- links to relevant spatial datasets and GIS support tools

You can access these resources at: www.epa.ie/monitoringassessment/assessment/sea/

Future amendments to the Regulations

Where changes to the Regulations are made prior to finalisation, or where amendments to the Regulations are proposed following its adoption, these should be screened for potential for likely significant effects in accordance with the criteria set out in Schedule 1 of the SEA Regulations (S.I. No. 435 of 2004).

Environmental Authorities

Under the SEA Regulations, prior to making your SEA determination, you should also consult with:

- The Minister for Agriculture, Food and the Marine, and the Minister for Communications, Climate Action and Environment, where it appears that the plan or programme, or modification of the plan or programme, might have significant effects on fisheries or the marine environment
- where it appears to the competent authority that the plan or programme, or amendment to a plan or programme, might have significant effects in relation to the architectural or archaeological heritage or to nature conservation, the Minister for Culture, Heritage and the Gaeltacht.

SEA Determination

As soon as practicable after making your determination as to whether SEA is required or not, you should make a copy of your decision, including, as appropriate, the reasons for not requiring an environmental assessment, available for public inspection in your offices and on your website. You should also send a copy of your determination to the relevant environmental authorities consulted.

If you have any queries or need further information in relation to this submission, please contact me directly. I would be grateful if you could send an email confirming receipt of this submission to: sea@epa.ie.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Cian O'Mahony'.

Cian O'Mahony
SEA Section
Office of Evidence and Assessment