



**Northern & Western
Regional Assembly**

Northern and Western Regional ERDF Programme 2021 – 2027

Strategic Environmental Assessment (SEA) Statement

Northern and Western Regional Assembly (NWRA)

RSK Project no: 603790



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1 INTRODUCTION

1.1 Background and Legislative Context

Strategic Environmental Assessment (SEA) is a systematic process for evaluating the environmental consequences of proposed plans or programmes to ensure environmental issues are fully integrated and addressed at the earliest appropriate stage of decision making, with a view to promoting sustainable development. The process of SEA was introduced under European Directive 2001/42/EC12 on the assessment of the effects of certain plans and programmes on the environment (SEA Directive) and came into force in 2001.

The requirements of the SEA Directive are transposed into Irish domestic law through the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (SI 435/2004 and SI 200/2011), and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI 436/2004 and SI 201/2011). Hereafter collectively referred to as ‘the SEA Regulations’.

RSK Ireland Ltd (hereafter ‘RSK’) has been instructed by the Northern and Western Regional Assembly (NWRA) to carry out a Strategic Environmental Assessment (SEA) of the Northern and Western Regional ERDF Programme 2021 - 2027 (Hereafter referred to as ‘the Regional Programme’). The process consists of four main components.

- The preparation of an Environmental Report, where the likely significant effects of the Regional Programme are identified and assessed. The Environmental Report is the principal document in the SEA process and summarises the likely effects of the Regional Programme on the environment, and measures which would mitigate any significant adverse effects.
- A consultation on the Environmental Report and the Regional Programme with the public, statutory environmental bodies, and any other EU Member State which might be affected.
- The consideration of the findings of the Environmental Report and the consultation process in deciding whether to adopt or modify the draft Programme.
- The publishing of the decision to adopt the Regional Programme and how the SEA process influenced the final outcome.

The Regional Programme is set to be published in November 2022. As such in accordance with Statutory Instrument No 436/2004 (as amended), a statement is required to be prepared providing information on this decision (the “SEA Statement”).

1.2 Summary of the SEA Process

SEA guidance was initially produced by the Government of Ireland in 2004. This guidance has since been replaced in March 2022 by the ‘Strategic Environmental Assessment: Guidelines for Regional Assemblies and Planning Authorities’ (DHLGH, 2022). In common with a number of SEA guidance documents, Table 1.1 sets out a five-stage process for carrying out SEA.

Table 1.1: Stages in the SEA Process

Stage	Tasks
SEA Screening	If SEA is not mandatory, screen for possible significant environmental effects
Stage A: Setting the context and objectives, establishing the baseline and deciding on the scope Initial public consultation	Step 1: Describe briefly the statutory purpose, geographic area, population, and timeframe of the plan, and its relationship (both vertical and horizontal) with other plans/programmes.
	Step 2: Summarise the main findings of the survey and analysis stage.
	Step 3: Describe in general terms the current state of the physical environment of the area, with particular reference to (a) areas of environmental importance (such as protected sites); and (b) areas experiencing environmental problems (such as waste, or air or water pollution) at present. Describe how that environment would be likely to evolve on the basis of current development trends but no change in current policies.
	Step 4: Define (a) broad planning policy objectives for the area based on Steps 1 and 2; and (b) relevant environmental policy objectives for the area taking account of national policy and any relevant international legal obligations (e.g. EU Directives).
	Consult the Consultation Bodies on the scope of the SEA.
Stage B: Developing and refining alternatives and assessing effects Stage C: Preparing the Environmental Report	Step 5: Identify a number of reasonable alternative development strategies for the area which are capable of fulfilling the policy objectives established in Step 4.
	Step 6: Evaluate these alternative strategies against the chosen planning and environmental policy objectives (step 4), with a view to establishing the most sustainable option.
	Step 7: Select the preferred strategy (which may combine elements of different strategies), stating reasons for the choice, and work it up with detailed policy objectives.
	Step 8: Carry out an environmental assessment of the preferred strategy to determine whether implementation would be likely to cause any significant effects on the environment (in particular, the aspects listed in Annex I of the SEA Directive, such as biodiversity, air, cultural heritage, etc.).
Stage C: Preparing the Environmental Report	Step 9: Modify the preferred strategy to eliminate, reduce or offset any significant adverse effects, as appropriate.
	Step 10: Propose monitoring measures in relation to any likely significant environmental impacts.
	Step 11: Prepare a non-technical summary.
Stage D: Consulting on the draft plan or	Step 12: Consult the public and Consultation Bodies on the draft plan or programme and the Environmental Report.

Stage	Tasks
programme and the Environmental Report	Step 13: Assess significant changes.
	Step 14: Make decisions and provide information.
Stage E: Monitoring the significant effects of implementing the plan or programme on the environment	Step 15: Develop aims and methods for monitoring.
	Step 16: Respond to adverse effects.

Interaction between NWRA and RSK to prepare the Scoping Report (end of Stage A), the Consultation Environmental Report (end of Stage C) and the final Environmental Report (end of Stage D) was an iterative process. The consultation phases on these documents with statutory environmental authorities (“Consultation Bodies”), the public, and other stakeholders were more formal in nature and are described in Section 3 below.

1.3 Purpose of the SEA Statement

The main purpose of the SEA Statement is to document how environmental considerations, the views of statutory consultees, and other submissions received during the consultation stages have been taken into account during the preparation of the Regional Programme and related monitoring measures.

Upon adoption of the Regional Programme, the SEA Statement must be made available to the Consultation Bodies, the public, and where relevant other EU Member States in relation to any transboundary consultations. The SEA statement includes a summary of the following:

- How environmental considerations were integrated into the Regional Programme;
- How submissions and observations made to NWRA, consultation outcomes, and the Environmental Report were integrated into the Regional Programme;
- The reasons for choosing the Regional Programme as adopted, in the light of other reasonable alternatives considered; and
- The measures decided upon to monitor any significant adverse effects, as well as any potential unforeseen adverse effects arising from the implementation of the Regional Programme.

2 SUMMARY OF HOW ENVIRONMENTAL CONSIDERATIONS WERE INTEGRATED INTO THE PROGRAMME

2.1 Introduction

Environmental considerations were integrated into the Regional Programme through the SEA process, which was carried out in parallel with the drafting of the Regional Programme. Results from the different stages of the SEA process were fed back to NWRA through the draft reports and by the SEA team at meetings.

2.2 Environmental Baseline

An analysis of baseline information has been carried out to provide an evidence base for current and likely future environmental conditions without the Regional Programme. Key environmental and sustainability issues for Ireland have also been identified. This process has been undertaken to identify any potential environmental sensitivities or constraints which need to be taken into consideration in the preparation of the Regional Programme.

Much of the baseline data has been acquired from the Central Statistics Office (CSO) – Ireland's national statistical office, Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media, and Department of Health. Alongside and the Environmental Protection Agency (EPA), and particularly the 2020 EPA report 'Ireland's Environment' and other documents as referenced in the Environmental Report.

The environmental sensitivities were mapped (Appendix C of the Environmental Report) and strengths, weaknesses, opportunities and threats identified for each of eleven sustainability topics. These were fed back to the NWRA through the draft Scoping Report and draft Environmental Report.

The environmental baseline conditions along with responses received during consultation on the Scoping Report and review of other relevant plans and programmes, led to the identification of a number of SEA objectives.

2.3 Preparation of the Environmental Report

The Environmental Report was prepared to carry out an evaluation of the likely environmental effects of the implementation of the Regional Programme.

The draft Regional Programme was assessed against the SEA objectives. These objectives were used within high level and detailed assessment matrices to ascertain the magnitude of likely effects, the sensitivity or value of the receiving environment (including people and wildlife) and thus the significance of effects of the Regional Programme policies and associated actions.

Assessments of alternatives to the Regional Programme as a whole have been undertaken, along with an assessment of likely cumulative effects of specific objectives and actions within the draft Regional Programme and likely in-combination effects of the draft Regional Programme with other plans and programmes.

The results of the assessment are detailed in the Environmental Report and these have been fed back to NWRA through the draft report.

2.4 Mitigation Measures

Annex 1 of the SEA Directive requires the Environmental Report to set out ‘the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme’. No significant adverse effects were identified in the ER and therefore there is no mandatory requirement for mitigation. Nevertheless, the mitigation measures were identified in the detailed matrix assessment in order to reduce the potential for adverse, non-significant effects.

The development of the Regional Programme has been undertaken alongside the SEA, as per the SEA Regulations. This promotes a hierarchy beginning with avoidance before considering mitigation measures. Through iterative discussion during the preparation of the Regional Programme, potential impacts have been identified and addressed where possible at an early stage, this includes the provision of environmental protection wording within the Regional Programme in the form of an Environmental and Do No Significant Harm (DNSH) Statement.

The SEA, AA and DNSH process has resulted in specific changes to the Regional Programme text. This environmental protection wording demonstrates the commitment to environmental protection through high level principles for economic activities arising out of investments associated with the Regional Programme. The Regional Programme encourages relevant development proposals that aim to protect and enhance the environment and promote the circular economy.

The key challenges and future ambitions for the programme area are clearly set out in the RSES for the Northern and Western Region. Any future projects/initiatives funded through implementation of the Policy and Specific Objectives within the Regional Programme must therefore align with the existing policies set out within the RSESs. This is alongside ensuring compliance with National and European legislation and policy.

3 SUMMARY OF HOW SUBMISSIONS, OBSERVATIONS AND CONSULTATIONS WERE INTEGRATED INTO THE PROGRAMME

3.1 Introduction

Consultation has been carried out on the Regional Programme and the SEA throughout its preparation. Table 3.1 below summarises the various consultation exercises undertaken.

Table 3.1: Consultation Dates

Date	Consultation
16th March – 13th April 2022	SEA scoping consultation
3rd August – 19th September 2022	Public consultation on draft Regional Programme and ER

3.2 Initial Public Consultation on the Regional Programme

The Regional Programme is developed under an EU Partnership model, with extensive consultation involving social partners and voluntary groups.

The consultation process commenced with a detailed Needs Analysis which was undertaken independently by Indecon Consultants and completed in July 2020. The analysis focused on future investment priorities in line with national and regional Policy Objectives and the Cohesion Policy Objectives of the EU. The Needs Analysis was subject to its own detailed stakeholder consultation process.

A public consultation was held at a regional and national level between July and September 2020 to elicit the views of stakeholders and the wider public, regarding the priorities for ERDF funding in 2021 – 2027, on a regional basis.

Further consultations then took place with Government Departments and State Agencies to identify potential policy alignments with ERDF and regional objectives between January and March 2021. Following extensive meeting, a number of Government Departments and State Agencies put forward proposed actions for consideration for ERDF funding.

A comprehensive screening process of those proposed actions was conducted by the MAs in consultation with the EC and Member State. From the screening process and following a further round of consultation meetings with the Government Departments and State Agencies between July and November 2021, a list of preferred actions for inclusion in the ERDF co-funded Regional Programme was identified.

3.3 SEA Scoping Consultation

The first stage of the SEA process is Scoping; this aims to identify the key issues, the main areas of interaction between the Regional Programme and the SEA objectives and set the scope of the SEA. This was completed by RSK and NWRA March 2022, with the findings published in the SEA Scoping Report.

The SEA Directive requires authorities with “environmental responsibilities” (hereafter referred to as the Consultation Bodies) to be consulted on the scope and level of detail of the information which must be included in the Environmental Report (Article 5(4)). The Directive does not require full consultation with the public or bodies other than Consultation Bodies until the Environmental Report on the Regional Programme is finalised. The NIEA was consulted as transboundary consultees.

A four-week consultation exercise supported by a draft SEA Scoping Report was carried out in March/April 2022. Consultation responses were received from the following organisations:

- EPA;
- Department for Agriculture, Food and Marine (DAFM);
- Environmental Protection Division (a division of the DECC);
- Geological Survey Ireland (a division of the DECC);
- Office of Public Works;
- Northern Ireland Environment Agency (NIEA) on behalf of DEARA; and
- Historic Environment Division – Department for Communities (Via NIEA);

Consultation responses relevant to the SEA Scoping Report are reproduced in Appendix A, along with a comment on how they have been accounted for in the preparation of the Environmental Report. The scoping consultation comments were taken on board in the production of the Environmental Report resulting in:

- Additional plans and programmes reviewed;
- Additional baseline information added;
- Amendments made to the proposed SEA sub-objectives;
- Additional guidance reviewed;
- Points raised taken into consideration during the impact assessment; and
- Recommendations taken into consideration in development of the mitigation and monitoring measures.

3.4 Consultation on the Draft Programme and Environmental Report

The Environmental Report and draft Regional Programme, as well as the Appropriate Assessment (AA) Natura Impact Statement (NIS), were presented for public and statutory consultation over a period of 6 weeks from 3rd August – 19th September 2022.

On the 8th of August 2022, the NWRA wrote directly to each of the Consultation Bodies inviting submissions, observations and comments on the Natura Impact Statement and Strategic Environmental Assessment. The NWRA also published a notice in a national newspaper directing readers to respond to the public consultation on their website. The deadline for submissions was the 19th of September 2022.

The following Consultation Bodies responded to this stage of the consultation process.

- EPA;
- DHLGH; and
- NIEA including the following;
 - DAERA Natural Environment Division (NED) (Via NIEA);
 - Marine Fisheries Division (Via NIEA);
 - Marine Plan Team (Via NIEA);
 - Water Management Unit (Via NIEA);
 - Historic Environment Division – Department for Communities (Via NIEA).

The purpose of this stage was to give the public and the Consultation Bodies an opportunity to express their opinions on the findings of the Environmental Report.

In line with the SEA Directive and SI 435/2004, comments from these bodies, members of the public, and other stakeholders must be noted and considered, and if appropriate addressed in the final Programme document. The consultation responses are reproduced in Appendix B, along with a comment on the action taken in response to the comments within the Environmental Report. In response to the consultation comments, the following changes were made to the Environmental Report:

- Incorporation of additional plans and programmes;
- Points raised taken into consideration during the impact assessment;
- Increased reference to marine environment data within the baseline; and
- A statement of transboundary effects on the marine and coastal environment.

Reference to the marine environment has been extended throughout the Environmental Report. It is noted that no adverse significant effects are anticipated on the marine environment or coastal processes as a result of the implementation of the Regional Programmes.

In addition to this, the environmental protection wording within the Regional Programme states:

“Any reference to support for all plans, projects, activities and development in the Programme should be considered to refer to ‘environmentally sustainable development’”

and

“The Programme encourages relevant development proposals that aim to protect of inland surface waters, transitional waters, coastal waters and groundwater, preventing pollution, further deterioration of water quality, promotes sustainable water use and enhances improvement of the aquatic environment.”

3.5 Transboundary Considerations

The potential for transboundary effects was assessed in relation to Northern Ireland. As described above, the NIEA was consulted as part of the scoping and public consultation stages of the SEA. Due to the locality and scale of projects funded under the Regional Programme, it is considered that the effects, both beneficial and adverse, will not impact upon Northern Ireland including its coastal processes or the marine environment.

Transboundary impacts for the UK and other EU jurisdictions were considered, however due to the nature of the Regional Programme any effects are likely to be negligible.

3.6 Post-consultation Modification to the Programme

There were no post consultation modifications of the Regional Programme. All consultee comments have been addressed through modifications to the SEA ER and responses can be found in Appendix A and B.

4 CONSIDERATION OF ALTERNATIVES

4.1 Introduction

Consideration of alternatives is a key feature of the SEA process as defined by the SEA Directive and the SEA Regulations. In practical terms, it refers to possible alternative mechanisms for delivering the goals of the Regional Programme, and the assessment of the impacts of each of these options against the SEA objectives.

The recommended approach to consideration of Alternatives is addressed in the EPA Research Report; *Developing and Assessing Alternatives in Strategic Environmental Assessment* (EPA, 2015).

SEA guidance recognises that it is not for the SEA to decide on the options to be considered. This SEA therefore focuses on the alternative delivery options actually considered in the preparation of the Regional Programme by NWRA.

4.2 Outline Summary of Alternatives Considered

Three alternatives were identified, which are described below.

Alternative 1 – The Programme as Currently Proposed

Alternative 1 includes funding for PO 1: Developing a Smarter More Competitive Regions (55%), PO2: Developing a Low-Carbon Energy Efficient Regions (30%) and PO5: Sustainable and Integrated Urban Development (15%).

Alternative 2 – Alternative Actions

Alternative 2 addresses the same Specific Objectives under the same PO's as Alternative 1. It also maintains the same level of investment of ERDF resources under each of the three PO's.

The key difference is that it proposes an alternative set of actions under Specific Objective 2.1. The focus on promoting energy efficiency and reducing GHG emissions in the Regional Programme area remains. However, rather than supporting actions that target improvements in energy efficiency of residential homes for those at risk of energy poverty, the Regional Programme would support actions to retrofit and improve the energy efficiency of public sector buildings.

Alternative 3 – Reallocation of Resources

Alternative 3 addresses the same Specific Objectives under the same PO's as Alternative 1 and the same suite of actions. The difference is that it proposes a reallocation of resources, reducing the allocation of ERDF funding to actions supporting Sustainable and Integrated Urban Development under PO5 to 8% of the total available, the minimum level allowed under the thematic concentration requirements, and increasing the allocation to actions under PO1.

4.3 Assessment of Alternatives

Alternative 1

Strong beneficial effects are anticipated for both Alternative 1 in terms of population and socio-economics due to the allocation of funding for the regeneration of key towns. This would create more usable, safe and attractive public realms within key towns and in turn could stimulate economic development through increased foot traffic and tourism. This may have indirect benefits on local economies by encouraging further investment and property development in regenerated areas.

Strong beneficial effects are anticipated for health and quality of life in Alternative 1 as retrofitting and making energy improvements to residential homes of those at risk of energy poverty would improve health and wellbeing by enabling people to live in a more comfortable environment and reduce the health risks of living in cold and damp house which leads to number of health problems.

Uncertain effects are anticipated for ecology and nature conservation, water, historic environment and landscape.

Adverse effects are anticipated for material assets and natural capital as projects funding town centre regeneration and the retrofitting of homes are likely to have a high consumption of raw materials and produce large amounts of waste.

Alternative 2

Alternative 1 and 2 have the same percentage of funding allocated to each RSO however Alternative 2 differs through RSO2.1: Promoting energy efficiency and reducing greenhouse gas emissions as the recipients of funding changes from residential homes to public sector buildings.

Strong beneficial effects are anticipated for Alternative 2 in terms of population and socio-economics due to the allocation of funding for the regeneration of key towns. In the same way as Alternative 1, this would create more usable, safe and attractive public realms within key towns and in turn could stimulate economic development through increased foot traffic and tourism. This may have indirect benefits on local economies by encouraging further investment and property development in regenerated areas.

Alternative 2 would see a change in the recipients of funding under RSO2.1 from residential homes to public sector buildings, therefore this would change the scale of projects funded under the Regional Programme and therefore has an increased potential for negative impacts on material assets, historic environment, landscape and natural capital. The focus on retrofitting and making energy improvements to public sector buildings will have fewer beneficial effects than Alternative 1 in terms of health and quality as it will not target those at risk of energy poverty within the programme area.

Alternative 3

Alternative 3 performs similarly to Alternative 1 however it has different funding allocations.

Alternative 3 would see less funding given to RSO 5.1: Supporting an integrated strategic approach to the regeneration of our town than the other alternatives. The funding is redirected from PO5 RSO 5.1 is added to PO1 RSO 1.1 and 1.3 which focuses funding on developing and enhancing research and innovation capacities and the uptake of advanced technologies and enhancing sustainable growth and competitiveness of SMEs and job creation in SMEs.

Beneficial effects are anticipated for health and quality of life from Alternative 3 as, similarly to Alternative 1, retrofitting and energy improvements to residential homes of those at risk of energy poverty will make beneficial contribution to the health and wellbeing of residents.

However, this alternative will have fewer beneficial effects to the quality of life of residents as less funding given to town centre regeneration, placemaking and tackling dereliction. The local population will still benefit from town centre regeneration although less so than in Alternative 1 and 2 due to the redirection of funding from PO5 to PO1. More funding for PO1 would have positive impacts for research, universities, job creation and SMEs which would have minor beneficial effects on population and socio-economics.

Uncertain effects are anticipated for ecology and nature conservation, water, historic environment and landscape.

Adverse effects are anticipated for material assets and natural capital as projects funding town centre regeneration and the retrofitting of homes are likely to have a high consumption of raw materials and produce large amounts of waste.

4.4 Reasons for Selection of Chosen Strategic Alternative

Alternative 1 represents the selected chosen strategic alternative.

This is based on the Needs Analysis and community engagement activities which suggests it provides the optimum blend of priorities to maximise performance in terms of supporting the region's population and growing the region sustainably and economically alongside other current funding streams.

Alternative 1 provides funding for the RSO 5.1 'Supporting an integrated strategic approach to the regeneration of our towns' which will have a greater direct impact on the socio-economics, health and quality of life of communities encompassing people from all backgrounds compared to Alternative 3 which allocates a larger percentage of funding to RSO 1.1 'Capacity building within both Higher Education Institutes'. Alternative 1 will make a significant difference to the health and quality of life of residents by reducing energy poverty.

5 MONITORING MEASURES

5.1 Statutory Requirement

Article 10 of the SEA Directive requires the Managing Authority, to monitor significant environmental effects of implementing the Regional Programme. This must be done in such a way as to also identify unforeseen adverse effects and to take appropriate remedial action.

Monitoring should commence as soon as the programme is adopted, with annual reporting carried out for the life of the programme. It may be necessary to revise the monitoring programme periodically so that it takes account of new methods and increased understanding of the baseline environment.

It is important that any monitoring proposed by the SEA should aim to specifically monitor the impact of the Regional Programme rather than monitoring trends in the baseline environment that would have occurred regardless. In accordance with the Ireland SEA Regulations, monitoring should also focus on aspects of the Regional Programme where environmental impacts are predicted to be significant (or uncertain). However, the SEA did not predict any significant adverse effects of the Regional Programme being implemented.

5.2 Monitoring Arrangement

Article 10 of the SEA Directive requires NWRA, as the Managing Authority, to monitor significant environmental effects of implementing the Regional Programme. This must be done in such a way as to also identify unforeseen adverse effects and to take appropriate remedial action. As revealed in the ER (Section 7), residual adverse environmental effects of the programme (i.e. after mitigation measures have been adopted) are likely to be negligible only and thus not significant. The ER therefore proposed recommended SEA monitoring measures that could be taken into account by the MA and the Programme Monitoring Committee when monitoring the programmes effects on the environment.

It is considered good practice to use existing monitoring programmes where relevant, rather than duplicating the data gathering exercise. It is the responsibility of NWRA to coordinate the monitoring of their programme however it is acknowledged that the NWRA will, in some cases rely on monitoring programmes managed by other agencies such as the EPA. It is the responsibility of NWRA to liaise with additional data holders to access this data.

Consideration will be given to potential environmental effects of the proposed projects at project selection stage. In line with the requirements of Article 73 of Reg (EU) 2021/1060, the project selection criteria and procedures will take account of the principle of sustainable development and of the Union policy on the environment. Selection criteria will ensure: (a) that projects respect the principles sustainable development and of Do No Significant Harm (b) that projects which fall under the scope of Directive 2011/92/EU of the European Parliament and of the Council are subject to an environmental impact

assessment or a screening procedure and that the assessment of alternative solutions has been taken in due account, on the basis of the requirements of that Directive and (c) that there is climate proofing of investments in infrastructure which have an expected lifespan of at least 5 years.

Environmental monitoring will make use of:

- Ongoing performance reporting by project beneficiaries;
- The monitoring programme for the Regional Spatial and Economic Strategies (including SEA Monitoring Report); and
- The new Regional Development Monitor (RDM)

The RDM is an innovative co-creation project between the three Regional Assemblies of Ireland, the All-Island Research Observatory at Maynooth University and infrastructure partners at Ordnance Survey Ireland (OSI) through the GeoHive platform. The RDM, through a range of interactive dashboards and mapping tools, will act as a key data hub and monitoring resource for the regional assemblies, government departments, state agencies, local authorities, community groups, research and student groups, and the general public.

The CPR Regulations (Regulation (EU) 2021/1060) state that Managing Authorities must establish a performance framework to enable monitoring, reporting and evaluation of programme progress and performance during its implementation, as well as measuring the overall performance of the Regional Programme.

Taking into account the requirement to monitor environmental effects and other regulatory requirements (such as ERDF requirements) NWRA proposes the following measures to assess and monitor the environmental and social impact.

Programme Monitoring Committee (PMC)

The partnership principle and the European Code of Conduct on Partnership will be reflected in both the PMC's membership and adopted rules of procedure. Gender balance will be promoted on the PMC. Membership, which will be published on the programme website, will include representatives from:

- *Member State (DPER),*
- *Regional, local, national, and other relevant public authorities, including those responsible for implementation and Government Departments representing the horizontal principles,*
- *Elected Representatives at regional level,*
- *Representatives from other EU shared management funds in Ireland,*
- *Economic and social partners,*
- *Bodies representing civil society - environmental partners, non-governmental organisations, and bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality and non-discrimination,*
- *Research organisations and academic institutions,*
- *European Commission (in an advisory capacity).*

A shadow Monitoring Committee was established in April 2022 and reflects the above membership requirements.

The selection methodology and evaluation criteria for the selection of operations will be approved by the PMC. In selecting projects, consideration will be given to potential environmental effects of the proposed projects. The selection of projects will be made based on criteria that consider the most environmentally sustainable solutions. These criteria shall be adapted to the nature of the intervention and applied as widely as possible across the specific objectives.

The PMC will meet at least once yearly to examine and make recommendations on all issues affecting programme implementation, progress in achieving milestones and targets and measures taken to address issues, including relevant programme contributions to Ireland’s country-specific recommendations, elements of the ex-ante assessments, evaluations and follow up to associated findings, progress on implementation of communications and visibility actions and implementing operations of strategic importance, actions to ensure fulfilment of enabling conditions, progress in administrative capacity-building for public bodies, partners, and beneficiaries, as relevant.

A programme evaluation plan will be prepared and submitted for approval of the PMC within a year of adoption of the Regional Programme by the European Commission. Similarly, a mechanism for reporting to the PMC cases of non-compliance of supported operations with the Charter of Fundamental Rights of the EU will be put in place to ensure enabling conditions remain considered and respected during implementation.

The NWRA will monitor the implementation of environmental enhancement measures set out in subsection 7.5-Environmental Enhancements of the Environmental Report by building this into performance reporting by the beneficiaries as appropriate. This reporting will be aggregated and communicated to meetings of the PMC.

If the monitoring identifies adverse impacts during the implementation of the Regional Programme, suitable and effective remedial action should be taken by the relevant bodies.

5.3 Monitoring Indicators

Output and results indicators have been set against each of the Specific Objectives of the Regional Programme in order to monitor performance and progress. Many of the indicators to be used to monitor the progress and results of the Regional Programme are EU ERDF common indicators as provided in Annex III of the Regulation. These are outlined below in table 5.1.

Table 5.1: Output and Results Indicators

Specific Objective	Output Indicators	Result Indicators
RSO1.1 Developing and enhancing research and innovation capacities and the uptake of advanced technologies.	RCO01 Enterprises supported (of which: micro, small, medium, large) RCO04 Enterprises with non-financial support RCO05 New enterprises supported	RCR03 Small and medium-sized enterprises (SMEs) introducing product or process Innovation RCR06 Patent applications submitted

	<p>RCO07 Research organisations participating in joint research projects</p> <p>PSO01 Number of Fellows completing a needs-led innovation training programme</p>	<p>PSR01 Annual Number of Licences, Options and Assignments in funded HEIs</p> <p>PSR02 Number of spin-outs created dependent on IP from the HEI</p> <p>PSR03 Licensed Technologies</p> <p>PSR04 Assignments</p>
<p>RSO1.3 Enhancing sustainable growth and competitiveness of SMEs and job creation in SMEs, including by productive investments</p>	<p>RCO01 – Enterprises supported (of which: micro, small, medium, large)</p> <p>RCO04 Enterprises with non-financial support</p> <p>RCO05 New enterprises supported</p> <p>RCO15 Capacity of incubation created</p>	<p>RCR03 Small and medium-sized enterprises (SMEs) introducing product or process Innovation</p> <p>RCR18 SMEs using incubator services after incubator creation</p>
<p>RSO2.1 Promoting energy efficiency and reducing greenhouse gas emissions.</p>	<p>RCO18 Dwellings with improved energy performance</p>	<p>RCR26 Annual primary energy consumption (of which: dwellings, public buildings, enterprises, other)</p> <p>RCR29 Estimated greenhouse emissions</p>
<p>RSO5.1 Fostering the integrated and inclusive social, economic and environmental development, culture, natural heritage, sustainable tourism, and security in urban areas.</p>	<p>RCO75 Strategies for integrated territorial development supported</p> <p>RCO76 Integrated projects for territorial development</p> <p>RCO114 Open space created or rehabilitated in urban areas</p>	<p>PSR05 Perceived impact of supported projects on revitalisation of town centre</p>

6 REFERENCES

Department of Housing, Local Government and Heritage (2022) Strategic Environmental Assessment: Guidelines for Regional Assemblies and Planning authorities.

EPA (2020) SEA Pack.

EPA (2015) Developing and Assessing Alternatives in Strategic Environmental Assessment.

Gonzalez, Therival, Gaughran and Bullock (2020) Guidance on Strategic Environmental Assessment (SEA) Statements and Monitoring.

Government of Ireland (2004) Implementation of SEA Directive (2001/42/EC): Assessment of the Effects of Certain Plans and Programmes on the Environment Guidelines for Regional Authorities and Planning Authorities.

APPENDIX A: SCOPING CONSULTATION RESPONSES

Scoping Consultation Responses			
Comment ref.	Page of letter	Comment	How has this been addressed?
Organisation and/or contact: Department of Environment, Climate and Communications - Geological Survey Ireland (Clare Glanville)			
Date received: 11 April 2022			
1	1	With reference to your email received on the 22 March 2022, concerning the Southern, Eastern and Midland Regional Programme 2021-2027 under the European Regional Development Fund (ERDF), Geological Survey Ireland would encourage use of and reference to our datasets. This data can add to the content and robustness of the SEA process. With this in mind please find attached a list of our publicly available datasets that may be useful to the environmental assessment and planning process. We recommend that you review this list and refer to any datasets you consider relevant to your assessment. The remainder of this letter and following sections provide more detail on some of these datasets.	Dataset list reviewed. Noted - not applicable at this level of assessment, datasets to be taken into account once special details of projects flowing from the Regional Programme are known.

2	1 & 2	<p>County Geological Sites (CGSs), as adopted under the National Heritage Plan, include additional sites that may also be of national importance, but which were not selected as the very best examples for NHA designation. All geological heritage sites identified by Geological Survey Ireland are categorised as CGS pending any further NHA designation by NPWS. CGSs are now routinely included in County Development Plans and in the GIS of planning departments, to ensure the recognition and appropriate protection of geological heritage within the planning system. CGSs can be viewed online under the Geological Heritage tab on the online Map Viewer. The geoheritage CGS reports and audits for counties within the Southern, Eastern and Midland Regional Programme can be found at:</p> <ul style="list-style-type: none"> The Geological Heritage of Louth (published in 2013) The Geological Heritage of Meath (published in 2007) The Geological Heritage of Kildare (published in 2005) The Geological Heritage of Laois (published in 2016) The Geological Heritage of Tipperary (published in 2019) The Geological Heritage of Kilkenny (published in 2007) The Geological Heritage of Carlow (published in 2004) The Geological Heritage of Wicklow (published in 2014) The Geological Heritage of Wexford (published in 2019) The Geological Heritage of Waterford (published in 2012) The Geological Heritage of Clare (published in 2005) The Geological Heritage of Dublin City (published in 2014) The Geological Heritage of Fingal (published in 2007) The Geological Heritage of South Dublin (published in 2014) The Geological Heritage of Dun Laoghaire-Rathdown (published in 2014) <p>The audit for Co. Limerick is currently in draft form but will be published on our website by the end of April 2022. The audit for Co. Cork is a three year process that commenced in 2021, but has not been completed yet. We would hope that the delayed audit of The Geological Heritage of Kerry may be able to be funded by Kerry County Council and the Heritage Council in the near future. Unaudited CGSs for these three counties can be viewed online under the Geological Heritage tab on the online Map Viewer.</p>	<p>Noted - to be taken into account once special details of projects flowing from the Regional Programme are known.</p>
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3	3	<p>Geological Survey Ireland’s Groundwater and Geothermal Unit, provides advice, data and maps relating to groundwater distribution, quality and use, which is especially relevant for safe and secure drinking water supplies and healthy ecosystems.</p> <p>Proposed developments need to consider any potential impact on specific groundwater abstractions and on groundwater resources in general. We recommend using the groundwater maps on our Map viewer which should include wells; drinking water source protection areas; the national map suite - aquifer, groundwater vulnerability, groundwater recharge and subsoil permeability maps. For areas underlain by limestone, please refer to the karst specific data layers (karst features, tracer test database; turlough water levels (gwlevel.ie). Background information is also provided in the Groundwater Body Descriptions. Please read all disclaimers carefully when using Geological Survey Ireland data.</p> <p>GWClimate is a groundwater monitoring and modelling project that aims to investigate the impact of climate change on groundwater in Ireland. This is a follow on from a previous project (GWFlood) and the data may be useful in relation to Flood Risk Assessment (FRA) and management plans. Maps and data are available on the Map viewer.</p> <p>Geological Survey Ireland has completed Groundwater Protection Schemes (GWPSs) in partnership with Local Authorities, and there is now national coverage of GWPS mapping. A Groundwater Protection Scheme provides guidelines for the planning and licensing authorities in carrying out their functions, and a framework to assist in decision-making on the location, nature and control of developments and activities in order to protect groundwater.</p> <p>The Groundwater Protection Response overview and link to the main reports is here: https://www.gsi.ie/en-ie/programmes-and-projects/groundwater/projects/protecting-drinking-water/what-is-drinking-water-protection/county-groundwater-protection-schemes/Pages/default.aspx</p>	<p>Noted - Proposed developments unknown at this stage.</p>
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4	3	<p>Culture and Tourism Over the past number of years geology has become a large part of Irish tourism. Ireland currently has three UNESCO Global Geoparks, and a number of other geotourism projects. The Cuilcagh Lakelands UNESCO Global Geopark in Fermanagh and Cavan seek to promote geotourism in these counties. These Geoparks, along with other tourism initiatives such as the Wild Atlantic Way, Ireland's Ancient East, and Ireland's Hidden Heartlands have bolstered tourism in various parts of Ireland and helped to increase its levels in areas that were previously not as popular with tourists. We would encourage the Southern, Eastern and Midland Regional Programme to continue this trend, and to use the geological audit information making it easily available to the general public. We would encourage geology to be a significant part of any tourism initiative that may be introduced.</p>	<p>Managing authority to address.</p>
5	3	<p>Geological Survey Ireland maintains online datasets of bedrock and soils geological mapping that are reliable and accessible. We would encourage you to use these data which can be found here, in your future assessments.</p> <p>Our 3D models can help stakeholders visualize, understand and characterise geology, for deposit and resource mapping, for flooding and for urban geology applications including basement impact assessment, Sustainable Drainage Systems (SuDS), and subsurface management. Our 3D models offer a key element of geotechnical risk management by identifying areas requiring further site investigation.</p> <p>Link provided: https://dcenr.maps.arcgis.com/apps/MapSeries/index.html?appid=a30af518e87a4c0ab2fbde2aaac3c228</p>	<p>Noted - dataset has been reviewed. Not applicable at this level of assessment.</p>
6	4	<p>GEOHERMAL ENERGY</p> <p>Geothermal energy harnesses the heat beneath the surface of the Earth for heating applications and electricity generation, and has proven to be secure, environmentally sustainable and cost effective over long time periods. Geothermal applications can range in depth from a few metres below the surface to several kilometres. Ireland has widespread shallow geothermal resources for small and medium-scale heating applications, which can be explored online through Geological Survey Ireland's Geothermal Suitability maps for both domestic and commercial use. We recommend use of our Geothermal Suitability maps to determine the most suitable type of ground source heat collector for use with heat pump technologies. Ireland also has recognised potential for deep geothermal resources.</p>	<p>Noted - dataset has been reviewed. Not applicable at this level of assessment, datasets to be taken into account once spacial details of projects flowing from the Regional Programme are known.</p>

7	4	We would recommend use of the Aggregate Potential Mapping viewer to identify areas of High to Very High source aggregate potential within the area. In keeping with a sustainable approach we would recommend use of our data and mapping viewers to identify and ensure that natural resources used in any proposed developments are sustainably sourced from properly recognised and licensed facilities, and that consideration of future resource sterilization is considered.	Noted - dataset has been reviewed. Not applicable at this level of assessment, datasets to be taken into account once spacial details of projects flowing from the Regional Programme are known.
8	5	INFOMAR also produces a wide variety of seabed mapping products that enable public and stakeholders to visualize Ireland's seafloor environment https://www.infomar.ie/maps/downloadable-maps/maps . Story maps have also been developed providing a different perspective of some of the bays and harbours of the Irish coastline. We would therefore recommend use of our Marine and Coastal Unit datasets available on our website and Map Viewer.	Noted - dataset has been reviewed. Not applicable at this level of assessment, datasets to be taken into account once spacial details of projects flowing from the Regional Programme are known.
Organisation and/or contact: EPA			
Date received: 15th April 2022			
9	1	The Executive Summary of Ireland's Environment - An Assessment-2020 and Chapter 16- Conclusions, sets out the "Key Environmental Messages for Ireland" that should be considered in preparing the Programme and the associated SEA Environmental Report.	Noted key environmental messages for Ireland in section 4.4 of the ER.

10	1	Some key relevant plans and programmes in Ireland, at national and regional level to consider include the National Planning Framework, Regional Spatial and Economic Strategies, Climate Action Plan 2021, Grid 25 Implementation Plan, National River Basin Management Plan for Ireland, National Policy Framework on Alternative Fuels Infrastructure for Transport, National Adaptation Framework, National Marine Planning Framework, Offshore Renewable Energy Development Plan, Renewable Electricity Policy and Development Framework, National Catchment Flood Risk Assessment and Management Studies.	P&P relevant to the SEA for the Regional Programme have been reviewed and included.
11	1	Options for additional transboundary-related infrastructure / activity should have environmental sustainability as a key consideration. Additionally, transboundary consultation on the Plan and SEA should take account of the SEA Protocol consultation requirements.	Transboundary consultations w/ Northern Ireland included in SEA process.
12	1	Transition to a low carbon climate resilient economy and society You should ensure that the Programme aligns with national commitments on climate change mitigation and adaptation, such as those included in the Climate Action Plan 2021, as well as any relevant sectoral, regional and local adaptation plans.	Managing authority to address.
13	2	Scope of the SEA The Programme should clearly set out the scope, remit and implementation related elements of the Programme. These will have implications for the SEA, in terms of guiding the level of assessment applicable at the appropriate level for the Programme. Where it is envisaged that measures proposed in the Programme will be implemented via other plans, which themselves have been or will be subject to SEA, this should be explained in the Environmental Report and taken into account in the assessment.	A Mitigation and Monitoring section is included in the SEA ER and Appendix E.
14	2	Scope of the SEA Where specific measures will be implemented directly, further detail should be provided in the Environmental Report and Programme on the relevant environmental assessments to be carried out at the project stage and relevant mitigation measures to be applied, as appropriate. There may be merit in exploring this issue further with the relevant Environmental Authorities during the Programme-preparation and SEA processes	A Mitigation and Monitoring section is included in the SEA ER and Appendix E.

15	3	<p>Integration of SEA and Programme All recommendations from the SEA and AA processes, including mitigation measures, should be integrated in the Programme. We recommend that the Programme includes summary tables outlining the key findings of the SEA and linking the significant environmental effects identified to the proposed mitigation measures, monitoring programme and Programme policies/measures.</p>	Noted - Programme to integrate mitigation measures
16	3	<p>Monitoring, Review & Reporting The Programme should include a commitment to implement the environmental monitoring programme and associated reporting. We suggest including a separate section on 'Monitoring, Review and Reporting' in the Programme, setting out the provisions for monitoring and reporting on the implementation of the Programme and periodic reviews. There may be merits in aligning the periodic reviews of the Programme with existing cyclical reporting e.g. Ireland's Environment, National Planning Framework, Water Framework Directive, Marine Strategy Framework Directive etc. In between review periods for the Programme we recommend that Programme -related implementation reports are published annually, or biennially, as appropriate. We recommend aligning the Programme implementation monitoring/reporting with the environmental monitoring required under the SEA legislation. Doing so would enable the environmental performance of the Programme to be evaluated and would also provide for increased transparency during implementation. The SEA-related monitoring should address positive, negative and cumulative effects where they are likely to occur and should include provision for on-going review to facilitate an early response to any environmental issues that may arise. The Environmental Report should specify the monitoring frequency and responsibilities and include provisions for reporting on the monitoring. To avoid duplication in data collection, the same indicators should be used for the Programme -related and SEA related monitoring where possible.</p>	Addressed in monitoring section of the ER and Appendix E.
17	3	<p>Data & Knowledge Gaps. The Programme should identify any significant data and knowledge gaps, include commitments to help address these on a priority basis during the implementation phase of the Programme. This is with a view to strengthening the evidence base for future reviews and iterations of the Programme</p>	Noted - Programme to identify data and knowledge gaps.

18	3	<p>Integration with other key Plans and Programmes.</p> <p>We recommend including schematics in the Programme and SEA Environmental Report, showing the links and key inter-relationships with other key relevant national, regional, sectoral and environmental plans.</p>	Noted interrelationships have been explained in ER and the plans and programmes assessment in Appendix B.
Organisation and/or contact: DAERA NIEA			
Date received: 21st April 2022			
19	1	DAERA would like the SEA Environmental Report to contain a clear statement indicating the opinion about whether or not the implementation of the of the strategy is likely to have a significant effect on Northern Ireland, in combination with any identified measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment	Transboundary considerations addressed in section 6.6 of the ER.
20	1	We would highlight consideration of the following issues including the potential disturbance to/impact on NI/RoI migratory/mobile species such as salmon, for example within the Lough Melvin Special Area of Conservation which lies within both Northern Ireland and the Republic of Ireland. Cross border designated sites, European sites in Northern Ireland adjacent to or with pathways to/from the Republic of Ireland, priority habitats, river basins, and other landscape types also require special attention as ecological functionality and 'views' of landscape cross political boundaries. The SEA should consider all potential impacts including those which may impact Northern Ireland both directly and indirectly. We welcome the recognition of ecological connectivity	Transboundary effects with Northern Ireland included throughout ER.
21	2	<p>NED are content with the overall approach to SEA and the issues that will be addressed including the consideration of how Environmental impacts will be addressed and mitigated, this should include potential impacts on NI.</p> <p>NED are in agreement and welcome the completion of a Habitats Regulations Assessment in parallel to the SEA. We welcome that the AA will also include assessment of potential significant effects on sites in NI where they fall within the 15km zone of influence.</p>	Noted.

22	2	<p>It may be worth including in your considerations the following:</p> <p>The Strategic Planning Policy Statement (SPPS) for Northern Ireland Planning Policy Statements (PPS – in particular PPS2 and PPS18). It should be noted that the PPS's will be superseded by Local Development Plans when they are adopted.</p> <p>Biodiversity Strategy for NI to 2020 https://www.daera-ni.gov.uk/publications/biodiversitystrategy-northern-ireland-2020-0</p> <p>Draft Environment Strategy https://www.daera-ni.gov.uk/consultations/esni-publicdiscussion-document</p> <p>The Draft NI peatland policy: https://www.daera-ni.gov.uk/consultations/ni-peatlandstrategy-consultation</p> <p>The Draft Green Growth Strategy Consultation on the draft Green Growth Strategy for Northern Ireland Department of Agriculture, Environment and Rural Affairs (daerani.gov.uk)</p> <p>Northern Ireland Energy Strategy 2050 Northern Ireland Energy Strategy 2050 Department for the Economy (economy-ni.gov.uk)</p>	<p>P&P relevant to the SEA and Regional Programme have been reviewed and included.</p>
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23	3	<p>A number of useful information sources that highlight the current state of the environment in Northern Ireland at a regional level and which could be referenced are:</p> <p>Northern Ireland State of the Environment Reports: https://www.daerani.gov.uk/publications/state-environment-report-2013</p> <p>Northern Ireland Environmental Statistics Reports: https://www.daerani.gov.uk/articles/northern-ireland-environmental-statistics-report</p> <p>Other relevant web-links are;</p> <p>Designated Scientific Sites: www.daera-ni.gov.uk/landing-pages/protected-areas</p> <p>Regional Landscape Character Map viewer: https://www.daerani.gov.uk/services/regional-landscape-character-areas-map-viewer</p> <p>DAERA have a map browser for NI protected sites and known priority habitat: www.daera-ni.gov.uk/services/natural-environment-map-viewer</p> <p>Our natural environment datasets are available at the link below: www.daera-ni.gov.uk/articles/download-digital-datasets</p> <p>Appropriate Assessments should refer to the status of habitats and species in the relevant reports available on the JNCC website as follows: UK Article 17 report for the Habitats Directive https://jncc.gov.uk/our-work/article-17-habitats-directive-report-2019/ and the UK Article 12 report for the Birds Directive https://jncc.gov.uk/ourwork/European-reporting/#birds-directive-reporting</p> <p>Please note following the decision of the United Kingdom to leave the European Union, the collective term of “Natura 2000” sites the network of European protected sites are now known as “National Site Network” sites within the United Kingdom, and is including Northern Ireland.</p>	Noted and considered.
24	3	<p>Please note following the decision of the United Kingdom to leave the European Union, the collective term of “Natura 2000” sites the network of European protected sites are now known as “National Site Network” sites within the United Kingdom, and is including Northern Ireland.</p>	Noted.

25	3	<p>Climate Change Unit comments</p> <p>Climate Change Mitigation Branch refers the Southern Regional Assembly to the requirements laid out within the UK Climate Change Committee's Sixth Carbon Budget publication. A link for this can be found below. https://www.theccc.org.uk/publication/sixth-carbon-budget/</p> <p>The UK 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.</p>	The Northern Ireland section of the UK Climate Risk Independent Assessment 2021 has been reviewed.
26	4	<p>Drinking Water Inspectorate Comments</p> <p>Thank you for consulting with the DWI on the ERDF Northern and Western Regional programme 2021-2027 SEA scoping report. Given the insignificant effects to transboundary areas, it is a nil response form us</p>	Noted - no transboundary effects on drinking water.
27	4	<p>Water Management Unit Comments</p> <p>Whilst noting that no significant transboundary effects are anticipated the Competent Authority should ensure that any potential transboundary effects relating to the aquatic environment have been adequately assessed.</p>	Considered transboundary effects on aquatic env in Section 6.6 of the ER.
Organisation and/or contact: Department of Agriculture, Food and the Marine regarding commercial fisheries			
Date received: 21 April 2022			
28	1	<p>It is important to include commercial stocks as a material asset in the assessments. Commercial sea fishing is a long standing, pre-existing and traditional activity in the marine environment. It is essential that any negative impacts on fisheries are avoided. The evaluation of potential impacts on any commercial sea fishing activities needs to be given consideration as part of any planning/proposal process and during the development process itself. It is imperative that engagement should be sought with the fishing industry and other relevant stakeholders at as early a stage as possible to discuss any changes that may affect them to afford a chance for their input. Fishers' interests and livelihoods must be fully recognised, supported, and taken into account.</p>	Fish stocks added to material assets in table 3.2 of the ER.
Organisation and/or contact: Rory Coleman on behalf of Environmental Protection Division (a division of the Department of Environment, Climate and Communications).			
Date received: Friday 8 April 2022			

29	1	In respect of waste in the within documentation, we would be obliged if the Local Authority would consult directly with their respective Regional Waste Management Planning Office regarding development of the final plans.	To be addressed when projects under the Regional Programme are selected.
Organisation and/or contact: DAERA and Historic Environment Division (HED)			
Date received: Friday 8 April 2022			
30	1	HED has reviewed the scoping report and considers the programme objectives have the potential to bring positive effects for the historic environment, through sympathetic retrofitting and reuse of historic buildings, and also through tackling dereliction and vacancy in the identified towns through regeneration and place-making plans & proposals.	Note positive impacts of policy on historic environment noted in 6.6.2 of the ER.
30	1	Upon review, we consider the programme has limited scope for transboundary cultural heritage impacts. We would however note that local councils in Northern Ireland are in the process of undertaking their local development plans. Engagement, particularly with those councils along the border region is therefore encouraged, so that current programmes in neighbouring counties can be taken into account in their plans and to enable mutual sharing of lessons learned from pilot projects to inform future approaches for positive town centre regeneration.	The limited scope for transboundary effects has been noted. Assembly to engage with LA.

APPENDIX B: STATUTORY CONSULTATION RESPONSES

Comment ref.	Page of letter	Comment	How will this be addressed?
Organisation and contact: EPA			
Date received: 6th September 2022			
1	4	In Section 3 – Approach to the SEA, there is merit in making reference to the updated national SEA guidelines (DHLGH, 2022).	Updated date of guidance in section 3 of ER.
2	4	In Section 5 – Consideration of Alternatives, we welcome that the EPA guidance on developing and assessing alternatives have been taken into account. We suggest however updating the reference to the correct publication year of 2015, and not 2013 as stated in the SEA	Updated date in section 5 of ER.
3	4	Section 7 – Mitigation and Recommendations describes the proposed mitigation measures and recommendations arising from the assessment. We welcome that a key criterion to be taken into account when considering support for projects under the Programme relates to ‘Do No significant Harm’ as described in Regulation (EU) 2020/852, related to sustainable financing/investment. We also note that the relevant environmental assessments will be required where the potential for likely significant effects on the environment for projects arising from any of the Programme policies.	Noted.
4	4	We note the recommended environmental enhancement measures set out in subsection 7.5-Environmental Enhancements (such as the inclusion of green and blue infrastructure, climate adaptation opportunities, town centre regeneration and energy retrofits). It would be useful to monitor whether how effectively these are implemented in the programme area over the lifetime of the Programme.	The Northern and Western Regional Assembly will monitor the implementation of environmental enhancement measures set out in subsection 7.5-Environmental Enhancements by building this into performance reporting by the beneficiaries as appropriate. This reporting will be aggregated and communicated to meetings of the Programme Monitoring Committee.

5	4	<p>Monitoring We note that Section 8 sets out the monitoring proposals associated with the Programme. There may be merit in also taking account of the EPA guidance on SEA Statements and Monitoring (EPA, 2022).</p>	Noted and considered.
6	4	<p>With regards the reference in Section 8 promoting the strategic use of public procurement to support Policy Objectives, we suggest amending the wording to refer to supporting “Green Public Procurement”. Further information in this regard can be found at: https://www.gov.ie/en/publication/efa12-green-public-procurement-gpp/</p>	Green public procurement is specified in 8.1.9 of the ER.
7	4	<p>The Monitoring Programme should be flexible to take account of specific environmental issues and unforeseen adverse impacts should they arise. It should consider and deal with the possibility of cumulative effects. Monitoring of both positive and negative effects should be considered. The monitoring programme should set out the various data sources, monitoring frequencies and responsibilities.</p>	<p>Consideration will be given to potential environmental effects of the proposed projects at project selection stage. In line with the requirements of Article 73 of Reg (EU) 2021/1060, the project selection criteria and procedures will take account of the principle of sustainable development and of the Union policy on the environment. Selection criteria will ensure: (a) that projects respect the principles sustainable development and of Do No Significant Harm (b) that projects which fall under the scope of Directive 2011/92/EU of the European Parliament and of the Council are subject to an environmental impact assessment or a screening procedure and that the assessment of alternative solutions has been taken in due account, on the basis of the requirements of that Directive and (c) that there is climate proofing of investments in infrastructure which have an expected lifespan of at least 5 years.</p> <p>Environmental monitoring will make use of: (I) ongoing performance reporting by project beneficiaries</p>

			<p>(ii) the monitoring programme for the Regional Spatial and Economic Strategies (including SEA Monitoring Report)</p> <p>(iii) the new Regional Development Monitor (RDM)</p> <p>The RDM is an innovative co-creation project between the three Regional Assemblies of Ireland, the All-Island Research Observatory at Maynooth University and infrastructure partners at Ordnance Survey Ireland (OSI) through the GeoHive platform. The RDM, through a range of interactive dashboards and mapping tools, will act as a key data hub and monitoring resource for the regional assemblies, government departments, state agencies, local authorities, community groups, research and student groups, and the general public.</p>
8	4	If the monitoring identifies adverse impacts during the implementation of the Programme, suitable and effective remedial action should be taken by the relevant bodies.	Added to SEA Statement.
9	4&5	<p>Additional plans and programmes to consider</p> <p>Some additional plans and programmes to consider include any relevant flood risk management plans within the Programme area, prepared as part of the National. Catchment Flood Risk Assessment and Management Study programme, and with regards the potential for nature-based flood risk management considerations be promoted. Other aspects to consider include the Maritime Spatial Planning Directive and Ireland’s National Marine Spatial Plan. Similarly, the relevant port and harbour masterplans should also be taken into consideration, as relevant.</p>	Documents included in the plans and programmes section of the ER.

10	5	<p>State of the Environment Report – Ireland’s Environment 2020</p> <p>In preparing the Programme and associated SEA, the recommendations, key issues and challenges described in our State of the Environment Report Ireland’s Environment – An Integrated Assessment 2020 (EPA, 2020) should be considered, as relevant and appropriate to the Programme. This should also be taken into account, in preparing the Programme.</p>	Noted. Already included in section 4.4.4 of the ER.
11	5	<p>Future Amendments to the Programme</p> <p>Where any changes to the Programme are considered, you should screen any future amendments to the Programme for likely significant effects.</p>	Noted, no changes.
12	5	<p>SEA Statement – “Information on the Decision”</p> <p>Once the Programme is adopted, you should prepare a SEA Statement that summarises:</p> <ul style="list-style-type: none"> • How environmental considerations have been integrated into the Programme; • How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Programme; • The reasons for choosing the Programme adopted in the light of other reasonable alternatives dealt with; and, • The measures decided upon to monitor the significant environmental effects of implementation of the Programme. 	Noted, SEA Statement to be issued in due course and will cover the areas referred.
13	5	<p>You should send a copy of the SEA Statement with the above information to any environmental authority consulted during the SEA process. Guidance on preparing SEA Statements is available on the EPA website at the following link:</p> <p>https://www.epa.ie/publications/research/environmental-technologies/research-306-guidance.php</p>	Noted, copy will be sent to those consulted.

14	5	<p>Environmental Authorities</p> <p>Under the SEA Regulations, you should consult with:</p> <ul style="list-style-type: none"> • Environmental Protection Agency; • Minister for Housing, Local Government and Heritage; • Minister for Environment, Climate and Communications; and • Minister for Agriculture, Food and the Marine. 	Noted.
Organisation and contact: Department for housing, local government and heritage (NI)			
Date received: 19th September 2022			
15	1	<p>The Department acknowledges that a Do No Significant Harm analysis has been carried out at the level of the types of actions defined within the proposed Programme and it has been determined that these actions would do no significant harm to environmental objectives within the meaning of Article 17 of Regulation (EU) 2020/852 of the European Parliament and of the Council. However, there is no detail provided on this analysis within the proposed Programme and no summary Statement has been provided within the proposed Programme. Whilst a “Report for Do No Significant Harm Assessment of the Northern and Western ERDF Programme 2021-2027” is referenced in the proposed Programme documentation, this Report has not been provided and therefore it is not possible to provide comment on this Report. Further comments are made regarding the lack of the Do No Significant Harm Assessment below.</p>	<p>Environmental Statement now included in Programme - see https://www.nwra.ie/wp-content/uploads/2022/08/sfc2021-prg-2021ie16rfpr001-1-0-2.pdf</p>
16	1&2	<p>Natura Impact Statement and the AA process</p> <p>The Department advises that the term “Habitats Regulations Assessment” should be replaced by the term “Appropriate Assessment” to make it specific to the Irish context. It is also recommended that is clearly identified that the competent authority for carrying out the AA is the Regional Assembly, who will use the NIS and other relevant information to support their AA determination.</p>	NIS updated

17	2	<p>The Department notes that the proposed Programme underwent screening for AA and that it is stated that: “Two Specific Objectives were taken through to Stage 2 Appropriate Assessment and an NIS was prepared for PO1 (A Smarter Europe) RSO1.3 (Enhancing sustainable growth and competitiveness of SMEs and job creation in SMEs, including by productive investments) and PO5 (A Europe Closer to its Citizens) RSO5.1 (Fostering the integrated and inclusive social, economic and environmental development, culture, natural heritage, sustainable tourism, and security in urban areas).” and “NIS 4.4.3 The potential for likely significant in combination effects associated with these Specific Objectives can therefore be ruled out and no further Appropriate Assessment (in relation to in combination effects) of PO1 RSO1.1 and PO2 RSO2.1 will be required.”</p>	<p>Section 4.3 of the NIS sets out how the whole Programme has been assessed, as detailed below:</p> <p><i>'The first sections of the Regional Programme include introductory text and provide contextual information regarding the development of the document. This part of the Regional Programme is factual and does not in itself lead to change or development. These sections cannot conceivably have any effects on European sites and have therefore been scoped out of the AA screening assessment.</i></p> <p><i>The remainder of the Programme document sets out the Specific Objectives and their associated actions. These have been assessed (alone) in Table 3 below and in-combination with other plans and projects within Section 4.4.'</i></p>
18	2	<p>However it should be noted that the AA screening process requires the whole Programme to be screened and that the determination as to whether there is a likelihood of significant effects on European sites must be made in the context of the whole Programme, not just individual Policies and Objectives. The Department recommends that the Regional Assembly, when making its AA determination prior to the adoption of the Programme, makes it clear that they have assessed the whole Programme and not just specific Policies and Objectives.</p>	
19	2	<p>It is noted in the draft Programme (paragraph 5.2.4) that “5.2.4 It is noted that none of the types of projects which would come forward for funding as part of the implementation of the Regional Programme would lead to new development/infrastructure within the boundary of a European site(s), and therefore direct habitat and/or species loss within a European site(s) has been scoped out of further assessment.”</p>	<p>NIS updated to note that this was confirmed by the NWRA</p>

20	2	It has not been made clear how the assessment team was able to make this statement that development would not take place within European sites, as there does not appear to be a condition to this effect stated in the proposed Programme. The Department suggests that this statement is re-examined and the implication of any revision is taken into account in the AA determination.	
21	2&3	Paragraph 5.3.2 states that specific “environmental protection” wording has been added at beginning of the Regional Programme. However, the text in question in this Section and in Table 9 and has not been added to the draft Programme. Table 9 in particular includes avoidance and mitigation measures to address likely significant effects of implementing the Programme. These measures are relied upon by the authors, to support the conclusions in the NIS that the proposed Programme will not have any adverse effects on the integrity of any European sites.	Environmental Statement now included in Programme - see https://www.nwra.ie/wp-content/uploads/2022/08/sfc2021-prg-2021ie16rfpr001-1-0-2.pdf
22	3	The Department would strongly advise that this is addressed in the final version of the proposed Programme and that these measures are fully integrated into the Programme before it is adopted. It is recommended that the AA determination, that must be made prior to the adoption of the Programme, should clearly state that such measures have been fully integrated into the Programme to avoid any such doubt as to the commitment to their implementation.	Environmental Statement now included in Programme - see https://www.nwra.ie/wp-content/uploads/2022/08/sfc2021-prg-2021ie16rfpr001-1-0-2.pdf
23		ER specific comments	

24	3	<p>In Section 7 “Mitigation and Recommendations”, the Department notes and supports the statement that:</p> <p>“At the project level, all applications for development consents for projects emanating from any policies that may give rise to likely significant effects on the environment will need to be accompanied by one or more of the following, as relevant:</p> <ul style="list-style-type: none"> • Ecological Impact Assessment Report (EclA); • Environmental Report; • Environmental Impact Assessment Report - if necessary, under the relevant legislation; • Natura Impact Statement - if necessary, under the relevant legislation.” <p>The Department also supports the following statement and welcomes the obligation to carry out site selection studies and to achieve no net loss of biodiversity:</p> 	Support noted
25	3	<p>However since this text and also the mitigation measures contained in Section 7.4 has not been included in the proposed Programme, it is not clear as to the status of these commitments. The Department would strongly advise that this is addressed in the final version of the Programme and that these measures are fully integrated into the Programme.</p>	<p>Consideration will be given to potential environmental effects of the proposed projects at project selection stage. In line with the requirements of Article 73 of Reg (EU) 2021/1060, the project selection criteria and procedures will take account of the principle of sustainable development and of the Union policy on the environment. Selection criteria will ensure: (a) that projects respect the principles sustainable development and of Do No Significant Harm (b) that projects which fall under the scope of Directive 2011/92/EU of the European Parliament and of the Council are subject to an environmental impact assessment or a screening procedure and that the assessment of alternative solutions has been taken in due account, on the basis of the requirements of that Directive and (c) that there is climate proofing of investments in infrastructure</p>

			which have an expected lifespan of at least 5 years.
26	3	It is recommended that the Statement that will published after the adoption of the Programme, should clearly state that such measures have been fully integrated into the Programme to avoid any such doubt as to the commitment to their implementation.	SEA Statement to be published alongside Regional Programme.
27	4	It is also recommended that all “Environmental Enhancements” listed in Section 7.5 are fully integrated into the final version of the Programme.	The Northern and Western Regional Assembly will monitor the implementation of environmental enhancement measures set out in subsection 7.5- Environmental Enhancements by building this into performance reporting by the beneficiaries as appropriate. This reporting will be aggregated and communicated to meetings of the Programme Monitoring Committee.
28		You are requested to send any further communications to this Department’s Development Applications Unit (DAU) at manager.dau@housing.gov.ie, or to the following address:	SEA statement and final programme - send to this address.
Organisation and contact: NIEA			
Date received: 16th September 2022			
29	1	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.	Support noted
30	1	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.	Support noted
DAERA Natural Environment Division (NED) (VIA NIEA)			

31	2	NED notes that the environmental report states that there are limited impacts to biodiversity and ecological features, with impacts limited to urban areas that may benefit from development. no transboundary effects have been identified and as such are content that given the geographical location of this plan it is unlikely to significantly impact on Northern Ireland. Should transboundary issues arise then consultation with the relevant NI bodies should be undertaken.	Noted
32	2	NED welcomes that the comments made at the screening stage in relation to the Habitats Regulation Assessment have been incorporated into the Natura Impact Statement regarding the specific policies and strategies outlined. Further NED welcomes the mitigations proposed to limit harm to mobile species which may be impact by any development arising from the plan.	Support noted
33		Water Management Unit (VIA NIEA)	
34	2	Water Management Unit welcomes that the report has considered the transboundary effect of the programme on the water environment and notes that this has determined that the effects, both beneficial and adverse, of the implementation of the Regional Programme will not impact upon Northern Ireland.	Support noted.
35	2	Water Management Unit notes that although no significant adverse effects are identified and therefore there is no requirement for mitigation that the report has identified recommended measures to reduce the potential for adverse, non-significant, effects in respect of PO2 RSO2.1 and PO5 RSO5.1 which were found to have potential minor adverse effects on water.	Noted.

36	2	<p>Water Management Unit welcomes the recognition that although no significant adverse residual environmental effects are anticipated there are some inherent uncertainties and that the report has subsequently identified that it is desirable that monitoring be carried out to validate the predictions and to allow detection of any unforeseen environmental effects not identified through the SEA process.</p>	<p>Consideration will be given to potential environmental effects of the proposed projects at project selection stage. In line with the requirements of Article 73 of Reg (EU) 2021/1060, the project selection criteria and procedures will take account of the principle of sustainable development and of the Union policy on the environment. Selection criteria will ensure: (a) that projects respect the principles sustainable development and of Do No Significant Harm (b) that projects which fall under the scope of Directive 2011/92/EU of the European Parliament and of the Council are subject to an environmental impact assessment or a screening procedure and that the assessment of alternative solutions has been taken in due account, on the basis of the requirements of that Directive and (c) that there is climate proofing of investments in infrastructure which have an expected lifespan of at least 5 years.</p> <p>Environmental monitoring will make use of:</p> <ul style="list-style-type: none"> (i) ongoing performance reporting by project beneficiaries (ii) the monitoring programme for the Regional Spatial and Economic Strategies (including SEA Monitoring Report) (iii) the new Regional Development Monitor (RDM) <p>The RDM is an innovative co-creation project between the three Regional Assemblies of Ireland, the All-Island Research Observatory at Maynooth University and infrastructure partners at Ordnance</p>
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			Survey Ireland (OSI) through the GeoHive platform. The RDM, through a range of interactive dashboards and mapping tools, will act as a key data hub and monitoring resource for the regional assemblies, government departments, state agencies, local authorities, community groups, research and student groups, and the general public.
37	2	Water Management Unit consider it essential that interventions (including programme revisions where required) are undertaken if any unforeseen or adverse environmental effects to the aquatic environment are identified as a result.	Covered in SEA Statement.
		Landscape (VIA NIEA)	
38	2&3	The Landscape Team welcomes that the report has considered transboundary effect and the potential for effects on the landscape. Due to the nature of the programme the Landscape Team does not envisage significant impact on the Landscape of Northern Ireland and have no comments to add.	Noted
		Marine and Fisheries Division Response (VIA NIEA)	
39	3&4	<p><i>Natura Impact Statement</i></p> <p>MCA welcomes the consideration of the following potential impacts listed in the Executive summary:</p> <ul style="list-style-type: none"> - Direct habitat loss/ degradation of habitat under the footprint of new development/infrastructure. (MCA recommends also considering any associated access roads). - Disturbance/ displacement to Qualifying interests (QI)/ Special Conservation Interests (SCIs) species. (MCA recommends ensuring SCI species also includes priority species.) - Changes in water quality/ hydrology where development/ infrastructure are hydrologically linked to a European site(s). (MCA recommends also 	Support noted.

		considering coastal processes such as coastal erosion in relation to hydrology.)	
40	4	MCA welcomes the inclusion of ‘blue investment’ and ‘climate change mitigation and adaptation risk prevention and management’ in Section 3.3.1 Policy Objective 2. In relation to this objective, MCA recommends considering Nature based solutions (NbS). In addition, in relation to blue investment, MCA recommends considering ‘Blue Carbon habitats’.	This is a EU policy objective and outside of the SEA remit.
41	4	In Table 1: The Regional Programme Policy Objectives and Specific Objectives, MCA recommends considering marine litter in coastal areas when implementing ‘sustainable tourism’ as part of RSO5.1.	Action under RSO5.1 are focused on town centre regeneration projects. It is not anticipated that this will lead to large increases in tourism and therefore marine litter.
42	4	The Marine Strategy Regulations 2010, as amended, impose a general duty on government departments to take measures to achieve good environmental status in marine waters. They also place a duty on public authorities to have regard to the UK Marine Strategy which has been developed in accordance with the Regulations when exercising their functions. The objective of the UK Marine Strategy is to achieve good environmental status in marine waters. In respect of marine litter, this is ensuring that the properties and quantities of marine litter do not cause harm to the coastal and marine environments.	Noted - Added to Appendix B of ER.
43	5	<i>Draft Marine Plan for Northern Ireland</i> Public authorities must consider the potential risk of litter entering the marine area as a result of proposals. Where a proposal creates the potential for litter to enter the marine area, a public authority may require the proposer to demonstrate: a) how the risk has been considered; and b) appropriate measures to minimise the risk.	Noted - Added to Appendix B of ER.
44	5	MCA recommends listing DAERA alongside NIEA as a consultee in Section 3.4.8.	This is a EU policy objective and outside of the SEA remit.
45	5	MCA welcomes the consideration of ‘In-combination effects’ in Section 4.4	Support noted - in-combination effects

46	5	<p>MCA welcomes the consideration of the following Policies and Strategies in Table 4:</p> <p>Policies/plans/programmes/strategies to consider in the in-combination assessment and Appendix C – Summary of other plans/programmes: Table C.1. Sets out the other plans/ Programmes considered in the in-combination assessment of the NIS:</p> <ul style="list-style-type: none"> - Biodiversity Strategy for Northern Ireland to 2020 - Draft Environment Strategy 	Support noted.
47	6	<p>However, where the Northern and Western Regional Programme 2021-2027 is implemented near Lough Foyle, MCA recommends consideration of the following policies, plans and strategies:</p> <p><i>The Marine and Coastal Access Act 2009</i> introduced a revised system of Marine Management and Licensing, including marine planning. The eight key elements are:</p> <ul style="list-style-type: none"> • Establishment of the Marine Management Organisation (MMO) • Creation of a strategic marine planning system • A streamlined marine licensing system • Marine nature conservation • Fisheries management and marine enforcement • Migratory and freshwater fisheries • Coastal access • Coastal and estuarine management 	Added to Plans and Programmes assessment Appendix B of ER.

48	6	<p><i>The Marine Strategy Regulations 2010</i></p> <p>The UK Marine Strategy Regulations 2010 require the UK to take the necessary measures to achieve or maintain Good Environmental Status (GES) through the development of a UK Marine Strategy. The UK Marine Strategy, made up of Parts One, Two and Three, sets out a comprehensive framework for assessing, monitoring and taking action across our seas to achieve the UK's shared vision for 'clean, healthy, safe, productive and biologically diverse ocean and seas'. In October 2019, the updated UK Marine Strategy Part One: UK updated assessment and Good Environmental Status was published. In March 2021 the updated UK Marine Strategy Part Two: UK updated monitoring programmes was published and the UK Marine Strategy Part 3: Programme for Measures is being reviewed after being out for consultation (6/09/21-29/11/21).</p>	Noted.
49	7	<p>This Marine Policy Statement (MPS) will facilitate and support the formulation of Marine Plans, ensuring that marine resources are used in a sustainable way in line with the high level marine objectives and thereby:</p> <ul style="list-style-type: none"> • Promote sustainable economic development; • Enable the UK's move towards a low-carbon economy, in order to mitigate the causes of climate change and ocean acidification and adapt to their effects; • Ensure a sustainable marine environment which promotes healthy, functioning marine ecosystems and protects marine habitats, species and our heritage assets; and • Contribute to the societal benefits of the marine area, including the sustainable use of marine resources to address local social and economic issues. 	Noted - Added to Appendix B of ER.

50	7	<p><i>The draft Marine Plan for Northern Ireland (consultation 2018)</i></p> <p>A marine plan becomes a consideration in all relevant planning decisions once it is published for public consultation. The NI Marine Plan was published for public consultation on 18 April 2018. The Plan must be used for all planning decisions for the sea, coast, estuaries and tidal waters, as well as developments that impact, or might impact, these areas, such as infrastructure. All public authorities are responsible for implementing the Plan through existing regulatory and decision-making processes. As well as public authorities, all applicants, third parties and advisors should also consider the Plan. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations.</p>	Noted - Added to Appendix B of ER.
51	7&8	<p><i>Wildlife (Northern Ireland) Order 1985</i></p> <p>Attention is drawn to Article 10 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence to intentionally or recklessly disturb, capture, injure a Common seal, Grey seal or Basking shark. In addition it is an offence to intentionally or recklessly, injure or kill a wild animal included in Schedule 5 of this Order. It is also an offence to intentionally or recklessly;</p> <ul style="list-style-type: none"> • disturb any such animal while it is occupying a structure or place which it uses for shelter or protection, • damage or destroy, or obstruct access to, any structure or place which any such animal uses for shelter or protection, • damages or destroys anything which conceals or protects any such structure; or • to have in possession or control any live or dead wild animal included in Schedule 5 or any part of, or anything derived from, such an animal. 	Noted

52	8&9	<p><i>Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995</i></p> <p>Attention is drawn to regulation 34 of The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), which states that it is an offence to deliberately disturb, capture, injure or kill a wild animal of a European Protected Species included in Schedule 2 to these Regulations. It is also an offence to;</p> <p>(a) deliberately obstruct access to a breeding site or resting place of such an animal,</p> <p>(b) damage or destroy a breeding site or resting place of such an animal,</p> <p>(c) keep, transport, sell or exchange, or offer for sale or exchange, any live or dead wild animal of a European protected species, or any part of, or anything derived from, such an animal.</p>	Noted
53	9	<p><i>Marine Act (Northern Ireland) 2013</i></p> <p>The Marine Act (Northern Ireland) 2013 requires DAERA to establish a network of MPAs in the Northern Ireland inshore region that, together with MPAs designated by the other UK administrations, contributes to the conservation and improvement of the marine environment in the UK marine area.</p>	Noted
54	9	<p><i>An Integrated Coastal Zone Management Strategy for Northern Ireland 2006-2026</i></p> <p>This strategy is intended to set out long-term objectives for achieving sustainable coastal management, through improvements to existing management systems, the development of new management systems and identifying and dealing with potential areas of conflict.</p> <ul style="list-style-type: none"> • MCA recommends considering marine litter in coastal areas when implementing 'sustainable tourism' as part of 4.4.4 PO5 RSO5.1. 	Action under RSO5.1 are focused on town centre regeneration projects. It is not anticipated that this will lead to large increases in tourism and therefore marine litter.

55	9&10	<p>MCA welcomes the consideration of ‘transboundary effects with NI’ in Table 7 Impact identification. In addition, MCA has the following comments on the impacts listed below:</p> <ul style="list-style-type: none"> - MCA notes that row 1 in table 7 is not complete potentially due to formatting issues. - Disturbance/ displacement to QI/ SCI species <p>MCA recommends ensuring SCI species also includes priority species.</p> <ul style="list-style-type: none"> -Changes in water quality/ hydrology where development/ infrastructure are hydrologically linked to a European site(s) <p>MCA recommends also considering coastal processes such as coastal erosions, where relevant.</p>	<p>Formatting issue resolved. NIS updated</p> <p>Priority species (as defined in the AA process) are also SCIs/ QIs and therefore have been considered.</p> <p>Given the size/ scale/ nature of the projects which are likely to come forward for funding, coastal processes have not been considered in the assessment.</p>
56	10	<p>MCA welcomes the following statement in Table 8 Assessment of Policy PO1 RSO1.3: ‘Ensure rigorous site selection processes have been carried out to avoid adverse impacts wherever possible (as per the following wording in the Regional Programme ‘Any reference to support for all plans, projects, activities and development in the Programme should be considered to refer to ‘environmentally sustainable development’ that has no adverse effects on the integrity of European sites and no net loss of biodiversity, that shall be subject to appropriate feasibility studies.’</p>	<p>Support noted.</p>
57	10	<p>In Table 8: Assessment of Policy PO1 RSO1.3 – Disturbance/displacement to QI/SCI species, MCA welcomes the following statement: ‘The main impacts associated with disturbance/ displacement would occur during the construction phase, where activities such as piling, increases in vehicle movements and human presence could lead to increases in noise, vibration, visual and lighting disturbance/ displacement effects.’.</p> <p>Regarding this statement, MCA recommends ensuring marine mammals and appropriate mitigation for construction activities are considered and applied. Examples of mitigation could be to employ a Marine Mammal Observer during the construction phase of the development, where relevant.</p>	<p>Given the size/ scale/ nature of the types of projects which are likely to come forward for funding, impacts on marine mammals during the construction phase have not been considered in the assessment.</p>

58	11	<p>In Table 9: Assessment of Policy PO5 RSO5.1– Disturbance/displacement to QI/SCI species, MCA welcomes the following statement: ‘There is also the potential for operational phase impacts associated with placemaking and sustainable tourism where an increases in people to an area could lead to recreational pressure on sensitive habitats and species.’ and MCA recommends also considering how ‘sustainable tourism’ activities such as increased water vessel use could potentially increase disturbance to marine mammals.</p>	<p>The types of sustainable tourism projects which could come forward for funding through the Regional Programme are focussed on urban regeneration rather than new marine based tourism. Therefore, impacts of disturbance of marine mammals have not been considered.</p>
59	11	<p>Furthermore, the impacts of Invasive Non Native Species (INNS) need to be considered as construction material and equipment could potential introduce and spread INNS as well as tourism equipment such as boats. Therefore it is essential biosecurity measures are in place for all policies implemented.</p>	<p>Consideration of invasive species includes terrestrial and aquatic species. Marine invasive species have not been considered as none of the projects likely to come forward for funding would include works within the marine environment. In addition, as stated above, the types of sustainable tourism projects which could come forward for funding through the Regional Programme are focussed on urban regeneration.</p>
60	11	<p>Regarding Appendix A – Designated sites: Table A.1. SPAs and SACs within the Northern and Western Region and the 15km zone of influence buffer. MCA welcomes the consideration of the following MPAs:</p> <ul style="list-style-type: none"> - Lough Foyle SPA - Bann Estuary SAC - Skerries and Causeway SAC - Magilligan SAC <p>In addition, MCA recommends considering the following additional MPAs:</p> <ul style="list-style-type: none"> - Bann Estuary ASSI - Magilligan ASSI - Lough Foyle ASSI - Lough Foyle Ramsar Site 	<p>Noted.</p>

61	11&12	<p>Furthermore, in relation to the Habitats Regulations Assessment for this proposal, recent advice, relating to MPAs which have marine mammals as a site selection feature, recommends the following ranges should be used when screening for either Harbour or Grey seals and Harbour porpoise (Phocoena phocoena) all SACs within 100km of the project should be screened for Grey seals</p> <ul style="list-style-type: none"> • all SACs within 50km should be screened for Harbour seals • all SACs within 100km should be screened for Harbour porpoise <p>Therefore The Maidens SAC should be considered for Grey seals and the North Channel SAC should be considered for Harbour Porpoise.</p>	<p>Given the size/ scale/ nature of the projects which are likely to come forward for funding, impacts on marine mammals have not been considered in the assessment.</p>
63	12	<p><i>SEA Environmental Report</i></p> <ul style="list-style-type: none"> • MCA welcomes the inclusion of ‘blue investment’ and ‘climate change mitigation and adaptation risk prevention and management’ in Section 2.4.1 and Table 2.1 Policy Objective 2. In relation to this objective, MCA recommends considering Nature based solutions (NbS). In addition, in relation to blue investment, MCA recommends considering ‘Blue Carbon habitats’. 	<p>This is a EU policy objective and outside of the SEA remit.</p>
64	12	<p>MCA recommends considering marine litter in coastal areas when implementing ‘sustainable tourism’ as part of Table 2.1 RSO5.1.</p>	<p>Action under RSO5.1 are focused on town centre regeneration projects. It is not anticipated that this will lead to large increases in tourism and therefore marine litter.</p>

65	12&13	<ul style="list-style-type: none"> • Regarding Table 3.2: SEA Objectives MCA has the following comments: <ul style="list-style-type: none"> - MCA welcomes the consideration of the following objectives: <ol style="list-style-type: none"> 1. Ecology and Nature Conservation – Protect, enhance and manage biodiversity assets and ecosystems 5. Water – Protect, enhance and manage water resources and flood risk <ol style="list-style-type: none"> 5. b. Protect, maintain, and improve the status of surface, ground and marine waters <ol style="list-style-type: none"> c. Avoid development that will increase risk of flooding or mitigate through the use of sustainable water management solutions d. Sustainably manage the risks associated with flooding, accounting for the likely increase in such events due to climate change 7. Climate Change – Minimise contribution to climate change and adapt to its predicted effects <ol style="list-style-type: none"> 7.c. Improve climate change resilience and adaptation capacity 	Support Noted
66	13	<p>In addition, MCA recommends considering the following information regarding coastal flooding and processes: Marine UK Policy Statement . Section 2.6.7.4 under Climate change adaption and mitigation states “Adapting to the impacts of climate change will also be a priority for terrestrial planning at the coast. Marine planning will need to be compatible with these impacts. This will include ensuring inappropriate types of development are not permitted in those areas most vulnerable to coastal change, or to flooding from coastal waters, while also improving resilience of existing developments to long term climate change.”</p>	The Environmental and DNSH statement that is included in the Programme states 'Any reference to support for all plans, projects, activities and development in the Programme should be considered to refer to 'environmentally sustainable development' and 'The Programme encourages relevant development proposals that aim to protect of inland surface waters, transitional waters, coastal waters and groundwater, preventing pollution, further deterioration of water quality, promotes sustainable water use and enhances improvement of the aquatic environment.'
67	13	Section 2.6.8.4 “Marine plan authorities should be satisfied that activities and developments will themselves be resilient to risks of coastal change and flooding and will not have an unacceptable impact on coastal change. A precautionary and risk-based approach, in accordance with the sustainable development policies of the UK Administrations, should be taken in terms of understanding emerging evidence on coastal processes”.	Noted.

68	13	Section 2.6.8.5 “Marine plan authorities should consider existing terrestrial planning and management policies for coastal development under which inappropriate development should be avoided in areas of highest vulnerability to coastal change and flooding. Development will need to be safe over its planned lifetime and not cause or exacerbate flood and coastal erosion risk elsewhere.”	Noted.
69	13&14	Section 2.6.8.6 “Account should be taken of the impacts of climate change throughout the operational life of a development including any de-commissioning period. Marine plan authorities should not consider development which may affect areas at high risk and probability of coastal change unless the impacts upon it can be managed. Marine plan authorities should seek to minimise and mitigate any geomorphological changes that an activity or development will have on coastal processes, including sediment movement”.	Noted.
70	14	Draft Marine Plan for Northern Ireland The Core Policy on climate change states “public authorities, where appropriate, must consider the proposals ability to adapt to a changing climate.”	Noted.
71	14	In relation to Climate Change Adaptation, the Core Policy states “Where climate change has the potential to impact on a proposal during its lifetime, a public authority may require the proposer to demonstrate: a) How the impact has been considered; and b) Measures to address the adverse impact, where appropriate.”	Noted.
72	14	• Paragraph 97 states “Public Authorities must consider if any actions are necessary to adapt the proposal to a changing climate, through decision making processes.”	Noted.
73	14	Paragraph 100 states: “Increased temperatures, sea level rise and extreme weather events increase the risk of coastal erosion and flooding, and should be taken into account by proposers and public authorities. Proposals should be located and designed to cope with current and future conditions. Care needs to be taken to ensure proposals do not adversely impact on natural ecosystems”.	Noted.

74	14	<p>Previous Ministers of DAERA and for Infrastructure recognised that the approach may be outdated and jointly commissioned a “Baseline Study and Gap Analysis of Coastal Erosion Risk Management in Northern Ireland”. This report was prepared by Amey Consulting with HR Wallingford and was reported in January 2019. The report concluded that the data currently available is insufficient for effective management of our coast; more information is required to bring our understanding of coastal change to a sufficient level.</p>	Noted.
75	15	<p>Coastal Processes The Core Policy on Coastal Processes states “public authorities must consider any potential impact from proposals on coastal processes.” “Where a proposal has the potential to adversely impact on coastal process, a public authority will require the proposer to demonstrate: a) the adverse impact is avoided; or b) where adverse impact is unavoidable, it is minimised, and where appropriate mitigated; or c) where adverse impact cannot be avoided or minimised, it is mitigated.</p>	<p>The Environmental and DNSH statement that is included in the Programme states 'Any reference to support for all plans, projects, activities and development in the Programme should be considered to refer to ‘environmentally sustainable development’ and 'The Programme encourages relevant development proposals that aim to protect of inland surface waters, transitional waters, coastal waters and groundwater, preventing pollution, further deterioration of water quality, promotes sustainable water use and enhances improvement of the aquatic environment.'</p>
76	15	<p>if it is not possible to avoid, minimise and/or mitigate any adverse impact, a proposal will only be allowed where the public benefit clearly outweighs the adverse impact.” In relation to Resilience to Coastal Processes, the Core Policy states “Where coastal processes have the potential to impact on a proposal during its lifetime a public authority may require the proposer to demonstrate: a) How the impact has been considered; and b) Measures to address the adverse impact, where appropriate.”</p>	Noted, see above.

77	15	Paragraph 114 states “Public authorities must consider the potential impact of proposals on coastal processes and conversely, how coastal processes may impact upon proposals over their lifetime, through decision making processes. The nature of coastal processes may require that attention is given to potential transboundary effects.”	The Environmental and DNSH statement that is included in the Programme states ' <i>Any reference to support for all plans, projects, activities and development in the Programme should be considered to refer to ‘environmentally sustainable development’ and ‘The Programme encourages relevant development proposals that aim to protect of inland surface waters, transitional waters, coastal waters and groundwater, preventing pollution, further deterioration of water quality, promotes sustainable water use and enhances improvement of the aquatic environment.’</i>
78	15	Paragraph 117 and 118 further state that “proposers should ensure that proposals do not cause or exacerbate coastal change elsewhere and allow the continued functioning of existing services and activities. It is important to minimise and/or mitigate potential changes to coastal processes.”	See above.
79	16	Furthermore, paragraph 123 states “public authorities should only authorise a proposal if they are satisfied that there are no unacceptable adverse impacts on coastal processes.”	See above.
80	16	Section 6.33 states that “The RDS recognises that coastal areas need to be protected from coastal squeeze, to safeguard against loss of distinctive habitats, and to help adaption to climate change, and accordingly states the landscape setting of features should also be conserved”. This would be applicable to further development or hard sea defences at the coast. Those coasts already protected and/or developed have lost their ability to change in response to dynamic forcing, especially during storm events and to longer term natural changes in sediment supply and volume. At a time of sea level rise, the ability of a coastline to naturally adjust is important, and where possible, should not be prohibited.	The Environmental and DNSH statement that is included in the Programme states ' <i>Any reference to support for all plans, projects, activities and development in the Programme should be considered to refer to ‘environmentally sustainable development’ and ‘The Programme encourages relevant development proposals that aim to protect of inland surface waters, transitional waters, coastal waters and groundwater, preventing pollution, further deterioration of water quality, promotes sustainable water use and enhances improvement of the aquatic environment.’</i>

81	16	MCA recommends considering Atlantic Regional Seascape Character Area (RSCA), Lough Foyle RSCA, Foyle Estuary RSCA, North Coast Strands and Dunes RSCA, the Skerries and Dunluce Coast RSCA in Section 10 of Table 3.2.	Noted.
82	16	Northern Ireland Regional Seascape Character Assessment 2014 The aim of this study is to provide a strategic understanding of different areas of regional seascape character along the entire Northern Ireland coast, complementing similar assessments undertaken elsewhere in the UK. This will contribute to the aims of the European Landscape Convention through promoting the protection, management and planning of the seascape, and to support European cooperation on landscape issues. Northern Ireland Regional Seascape Character Assessment	Noted.
83	16	MCA recommends listing DAERA alongside NIEA as a consultee in Section 4.1.3.	Added to 4.1.3.
84	16	MCA welcomes the following statement: Section 6.3.2 – ‘Specific projects would be subject to planning and environmental controls that exist in the respective jurisdictions in which they are proposed and hence it is unlikely that projects fundamentally harmful to the environment would be allowed to proceed.’	Support noted.
85	17	MCA welcomes the consideration of Transboundary effects in Section 6.6. MCA welcomes the inclusion of ‘Nature-based solutions’ in Section 7.5.6.	Support noted.
86	17	MCA welcomes the consideration of the following monitoring listed in Appendix E: Mitigation and Monitoring- SEA objective – Ecology and Nature Conservation: -‘Whether ecological mitigation is proposed and carried out. - Habitat and Species conservation status pre/post development (especially for any protected/designated site). - Biodiversity net gain.’	Support noted.
Marine Plan Team Advice			

87	18	<p>The MPT, along with other sections of the Marine & Fisheries Division (MFD), had prepared comprehensive input into the original SEA Scoping and AA Screening documents in March 2022. However, due to an administrative oversight, this response was not sent back as part of the wider DAERA response. The drafted MPT input for both documents to these previous stages is attached at Appendices A&B for reference. It is unfortunate that the MFD comment was not included in the DAERA response, as in it, we raised significant marine consideration concerns, along with transboundary issues, to assist with the informed development of the next stages of the SEA / AA process for the Northern and Western Regional Programme 2021-27.</p>	Noted.
88	18	<p>SEA Environmental Report: While we acknowledge that our M&FD drafted input was not received by you and therefore could not be acted on, we note that other received Departmental responses (both NI and ROI) to the April 2022 consultation did raise certain marine matters. Given the wide-ranging nature of these comments in relation to marine matters, relevant UK and NI legislation and associated draft plans and possible transboundary impacts, it is unfortunate that these could not be considered as part of the development of the Environmental Report.</p>	Noted.
89	18	<p>(We have attached our (April 2022) MPT drafted comments made in relation to the SEA Scoping Report at Appendix A in case this is helpful.) Accordingly, it is unclear whether your assessment process is comprehensive and robust in relation to the consideration and assessment of effects on the marine environment, including any potential transboundary marine environmental effects. A specific, stand-alone Transboundary section would have been useful to clearly articulate how relevant marine aspects (as outlined in the UK Marine Policy Statement) of the Northern Ireland marine area have been considered within the key issues and summary of baseline information. In the absence of such an explicit section, it appears that the transboundary opportunities / potential impacts for the NI marine area have not been considered.</p>	Clear statement added to paragraph 6.6.2 on Transboundary effects.

90	20&21	<p>Appendix A Previously drafted Marine Plan Team response to SEA Scoping Report consultation</p> <p>3.5.2 – The MPT note the SEA will also take into account transboundary impacts where it is identified that actions taken under the Regional Programme have the potential to impact on the topic areas identified in other states and that Northern Ireland borders will form the main focus of such consideration of trans-boundary effects. While a standalone, explanatory transboundary section would have been beneficial, we note the statement that the Northern and Western Regional Assembly do not currently anticipate that the programme will have potential for significant effects on Northern Ireland.</p>	Clear statement added to paragraph 6.6.2 on Transboundary effects.
91	21	3.5.3 – The MPT note the suggested range of transboundary associated environmental topics that are likely to be relevant.	Noted
92	21	3.7.2 – The MPT would point out a minor typo in this paragraph. The list of relevant plans and programmes are in fact included in Appendix A (pg 48) and not Appendix B as stated.	Typo in scoping document noted.
93	21	3.9 – The MPT Note and welcome the future undertaking of a standalone Do No Significant Harm (DNSH) assessment alongside the SEA Environmental Report.	Support noted
94	21	4.2.1 – We note the recognition of the significant coastal and marine boundaries to the programme area and the importance of these to their associated tourism themes.	Support noted
95	21	4.3.13 – 4.3.15 – The MPT note and welcome these paragraphs on marine biodiversity and current pressing issues.	Support noted

96	21	<p>4.6.5 – While noting the reference to the section also reporting on the state of the marine environment, the MPT consider there is further scope to address specific coastal / marine water quality issues beyond those included within River Basin Management Plan consideration. It is suggested that further explicit reference should be contained here to directly reference the marine environment. References to WFD are welcome in this section. However, this section should also include reference to the UK Marine Strategy and achievement of good environmental status, particularly in relation to those elements of the UK Marine Strategy not covered by WFD, such as, concentrations and effects of contaminants to the wider marine environment.</p> <p>It is suggested that enhanced marine reference, within this Water section, includes reference to the ROI National Marine Planning Framework and the associated NI marine documents and legislation, such as:</p> <ul style="list-style-type: none"> • the National Marine Planning Framework (ROI); • EU Maritime Spatial Planning Directive; • the Marine and Coastal Access Act 2009; • the Marine Act (Northern Ireland) 2013; • the UK Marine Policy Statement (MPS); and • the draft Marine Plan for Northern Ireland. 	<p>Noted this is in reference to the scoping report. As these comments were not passed to the SEA team at the scoping stage these have now been incorporated into the baseline and plans and programmes section of the ER.</p>
97	22	<p>4.8 – The MPT would suggest that this climate change section should include reference and consideration of likely future coastal impacts, such as coastal flooding resulting from future sea level rises and increased frequency and intensity of extreme weather events. Enhanced coastal erosion from such events is also suggested for inclusion.</p>	<p>Added to ER baseline section under climate.</p>
98	22	<p>4.11 – Given the significant marine boundaries to the programme area, the MPT would suggest that an appropriate consideration of seascape issues should also be included within this section.</p>	<p>Added to ER baseline section under landscape.</p>
99	22	<p>4.12 – The MPT note and welcome this section and approach and suggest that the marine component is appropriately considered within this natural capital section.</p>	<p>Added to ER baseline section natural capital section.</p>

100	22	<p>4.13.3 – With reference to the key sustainability issues thought to be facing the Regional Programme areas, the MPT note the reference to the unfavourable condition of habitats and species in protected sites due to unsustainable fishing practices. It is suggested that consideration be given to marine and coastal potential issues within this section and include:</p> <ul style="list-style-type: none"> • Coastal squeeze from development; • Coastal erosion and flooding linked to ongoing climate change; • Coastal / marine water quality, biodiversity and natural capital; • Impacts on seascape potentially associated with any offshore renewable energy projects put in place to meet future carbon reduction targets. 	Added to ER baseline section.
101	22	<p>6.7 – It is suggested that coastal flooding is referenced and fully considered within this section to take into account any coastal flooding resulting from future sea level rises and increased frequency and intensity of extreme weather events.</p>	Flood Risk Assessment is likely to be required at planning and implementation stage where location of development is known.
102	22&23	<p>Appendix A – The MPT have reviewed the list of Plans and Programmes. Given the significant importance of the marine environment, particularly to the tourism offer around the coastline of both the ROI and NI, it is suggested that this Appendix should contain reference to:</p> <ul style="list-style-type: none"> • the Marine Act (Northern Ireland) 2013; • the UK Marine Policy Statement (MPS); • the draft Marine Plan for Northern Ireland; and • the National Marine Planning Framework (ROI); <p>The UK Marine Policy Statement 2011 and the draft Marine Plan for Northern Ireland published in April 2018 are both available on the DAERA website at: Marine planning Department of Agriculture, Environment and Rural Affairs (daera-ni.gov.uk).</p>	Added to Appendix B of ER
103	23	<p>In addition, it is also suggested that consideration should also be given to including the EU Maritime Spatial Planning Directive and the Marine and Coastal Access Act 2009.</p>	Added to Appendix B of ER
104		Inland Fisheries Advice	

105	19	DAERA Inland Fisheries welcomes the opportunity to comment on the Northern and Western Regional Assembly -SEA Environmental Report & NIA Consultation.	Support noted
106	19	Inland Fisheries has considered the documents as provided and we are content given the over-arching/high level nature of the Programme with the conclusion that there is unlikely to be any direct significant impacts to transboundary watercourses as a result of the programme. It is noted that whilst it is difficult to assess any potential impacts from the plan as there are no specific developments included at this stage that any such developments likely to have an impact will be assessed in full.	Support noted
107	19&20	Where transboundary watercourses are impacted by any subsequent development of infrastructure associated with the programme Inland Fisheries would request that any impacts to all priority species and priority habitats are considered. Also any subsequent assessments should consider within the section on 'Policies/ plans/ programmes/strategies' (Transboundary aspects) - the 'Fisheries Act (Northern Ireland) 1966 as amended' and also the North Atlantic Salmon Conservation Organisation's (NASCO), Convention for the Conservation of Salmon in the North Atlantic Implementation Plan for the period 2019 – 2024. This is an international commitment for both Ireland (as part of the EU) and Northern Ireland (as part of the UK).	Noted
108	20	Inland Fisheries welcomes the statements as outlined within chapter '7 Mitigation and Recommendations', adherence to these objectives when applicants proposals are funded by the programme will potentially help to reduce many of the associated environmental impacts.	Support noted.
109	20	As a statutory consultee Inland Fisheries will continue to consult on any planning applications or proposals put forward by participants in the program that may have potential transboundary impacts. The Loughs Agency is the lead body for provision of advice regarding impacts to salmonid and inland fisheries interests within the catchments of Lough Foyle and Carlingford Lough. Consequently, said agency should also be consulted in relation to this SEA Scoping exercise.	Noted.
Organisation and contact: DfC Historic Environment Division (HED)			

Date received: 16th September 2022			
110	1	HED has reviewed the SEA Environmental report and welcomes that the potential for transboundary effects on cultural heritage have been addressed and that our scoping comments have been acknowledged. We reiterate our advice that the programme objectives have the potential to bring positive effects for the historic environment, where approaches to retrofitting and reuse of historic buildings are managed sympathetically. Tackling dereliction and vacancy in the identified towns through regeneration and place-making plans & proposals, also offers welcome precedent opportunities, to convey the wider positive effects of investment in cultural heritage assets.	Noted.
111	1	We remain of the view the programme has limited scope for transboundary cultural heritage impacts but welcome that engagement with the relevant local authorities in Northern Ireland has been identified as an action (comment 9, Appendix C).	Support noted.
112	1	For reference and to aid consideration of transboundary effects on cultural heritage at the project level, our datasets which include designated and non-designated heritage assets, are available to download at Historic Environment Digital Datasets Department for Communities (communities-ni.gov.uk) and can also be viewed on our Historic Environment map viewer, available at: https://www.communities-ni.gov.uk/services/historic-environment-map-viewer	Noted.