



Water Framework Directive River Basin Management Plans and Programmes of Measures - South Eastern RBD

Habitats Directive Article 6 Assessment

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Acronyms

AA	Appropriate Assessment
DEHLG	Department of Environment Heritage and Local Government
DOE NI	Department of Environment Northern Ireland
FPM	Freshwater Pearl Mussel
NIEA	Northern Ireland Environment Agency
NPWS	National Parks and Wildlife Service
POMS	Programmes of Measures
RBD	River Basin District
RBMP	River Basin Management Plan
SAC	Special Area of Conservation
SERBD	South Eastern River Basin District
SPA	Special Protection Area
WFD	Water Framework Directive

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Executive Summary

Habitats Directive Article 6 assessments are required under the Habitats Directive (92/43/EEC), and are required where a plan or project may give rise to significant effects upon a Natura 2000 site. Natura 2000 sites are those identified as sites of Community importance designated under the Habitats Directive (Special Areas of Conservation, here after referred to as SACs) or the Birds Directive (Special Protection Areas, here after referred to as SPAs). In the case of the present assessment, Ramsar sites are also included in the assessment as Northern Ireland policy affords them the same protection as Natura 2000 sites (Dodd *et al.*, 2008). It is important to note that the phrase ‘*Appropriate Assessment*’ is sometimes used more loosely to refer to the whole process set out under Articles 6(3) and 6(4) of the Habitats Directive (Dodd *et al.*, 2008), and therefore note that for the present assessment the term ‘*Habitats assessment*’ will be used, not ‘*Appropriate Assessment*’ (which refers to Stage 2 in the sequence under Habitats assessment).

Article 6 of the Habitats Directive sets out provisions which govern the conservation and management of Natura 2000 sites. Article 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect Natura 2000 sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment:

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

Importantly, a Habitats assessment has a narrow focus i.e. the maintenance of the integrity of the site and assessing the significance of the effects on designated interest features and the conservation objectives of the site. It is a protection led assessment and is carried out using the precautionary principle.

The assessment of the Draft River Basin Management Plan (RBMP) and Programme of Measures (POMs) for the SERBD produced the following findings:

Where potential impacts from the Draft RBMP/POMs were identified, alternatives have been proposed, and the decision process detailed in assessment/summary tables. These alternatives have been incorporated in to the Draft RBMP. The implementation of the POMs are highly desirable in order to protect, improve or maintain the current favourable conservation status of many of Ireland and Northern Ireland's Natura 2000 and Ramsar sites, however, in their implementation, there is potential for impacts, either directly or indirectly to Natura 2000/Ramsar sites as for e.g. they may involve the construction of new infrastructure in order to reduce waste water loadings to receiving waters. While there are *potential effects* which could accrue from the implementation of such measures as specified in the Required, Other Required and Additional Measures under the POMs, and also from other policies, plans and programmes in isolation, or in combination with each other, these cannot be assessed at present as the extent of their implementation is as yet unknown at the water body level. As these other policies, plans and programmes are implemented at a local level, and the water body specific measures under the Draft RBMP/POMs are identified at this scale, it is advisable to map these out spatially to gain a fuller understanding of their relationship with Natura 2000/Ramsar sites, and a screening exercise under the habitats assessment for potential impacts carried out. If the assessment shows the potential for impacts, an Appropriate Assessment should be carried out. To assist in the screening exercise, this assessment has identified where screening/AA may be required, and where NPWS should be consulted.

1.0 Introduction

Article 6 is one of the most important articles of the Habitats Directive in determining the relationship between conservation and site use. Article 6(3) requires that “*Any plan or project not directly connected with or necessary to the conservation of a site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives.*” A Habitats Directive Article 6 Assessment of the River Basin Management Plan (RBMP) and Programme of Measures (POMs) was carried out in parallel with the Strategic Environmental Assessment (SEA) process, and the findings of the habitats assessment used to guide the development of the alternatives considered as part of the SEA. The purpose of this report is to describe how that habitats assessment was carried out, and also to detail the results and conclusions from the assessment.

1.1 Water Framework Directive (WFD)

The WFD (2000/60/EC, Directive of the European Parliament and of the European Council establishing a framework for Community action in the field of water policy) is the most substantial piece of water legislation ever produced by the European Commission. It will provide the major driver for achieving the sustainable management of water on the island of Ireland and other Member States for many years to come. The Directive, introduces a new perspective in terms of water management, which is based on River Basin Districts (RBDs) and requires that all inland and coastal waters within defined river basin districts must reach at least *good status* by 2015. It sets out how this is to be achieved through the establishment of environmental objectives and ecological targets for surface waters. These objectives and targets will be clearly set out in a RBMP that will also include a POMs which will set out how these targets are achieved. The result will be an improved water environment achieved by taking due account of environmental, economic and social considerations.

The WFD’s implementation is onerous and it raises many challenges. The specific objectives of the WFD are;

- to protect and enhance the status of aquatic ecosystems (and terrestrial ecosystems and wetlands directly dependent on aquatic ecosystems);

- to promote sustainable water use based on long-term protection of available water resources;
- to provide for sufficient supply of good quality surface water and groundwater as needed for sustainable, balanced and equitable water use;
- to provide for enhanced protection and improvement of the aquatic environment by reducing / phasing out of discharges, emissions and losses of priority substances;
- to contribute to mitigating the effects of floods and droughts;
- to protect territorial and marine waters;
- to establish a register of protected areas e.g. areas designated for the protection of habitats or species.

Member States will have to ensure that a coordinated approach is adopted in the implementation of the POMs to achieve these objectives. The WFD's objectives can be best summarised as:

- maintaining “high status” of waters where it exists;
- preventing any deterioration in the existing status of waters; and
- achieving at least “good status” in all waters by 2015.

The WFD was transposed into national law in Ireland by the European Communities (Water Policy) Regulations 2003 (SI No. 722 of 2003), which provided for essential, technical transposition of the Directive. These Regulations established 8 River Basin Districts on the island of Ireland, of which the South Eastern River Basin District is one (see **Figure 1** below).

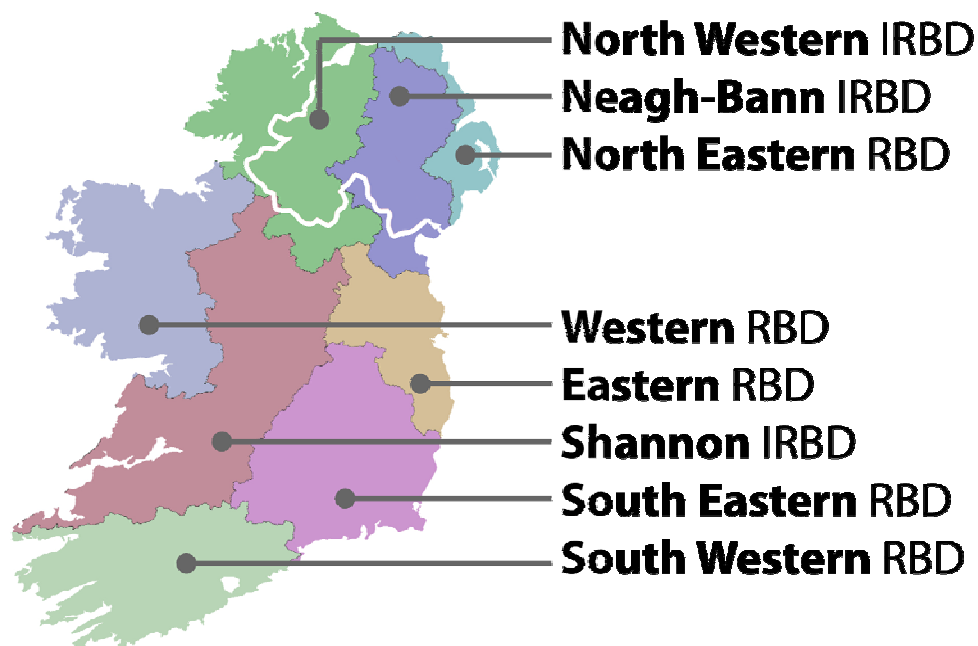


Figure 1 River Basin Districts on the island of Ireland

As stated, the purpose of the WFD is to maintain the “high status” of waters where it exists, prevent deterioration in existing status of waters and to achieve or restore at least “good status” in relation to all waters by 2015. The mechanism by which this is to be achieved under the WFD is through the adoption and implementation of RBMPs and POMs for each of the eight identified RBDs.

1.2 South Eastern River Basin District (SERBD)

The SERBD encompasses all of counties Carlow, Wexford and Kilkenny, most of Waterford, South Tipperary and Laois, parts of North Tipperary, Kildare, Offaly and Wicklow, all of Waterford City and a small part of Limerick and Cork (**Figure 2**).

The SERBD is home to rich agricultural land and holiday coastline. It is one of Ireland’s largest river basin districts, covering about one fifth of the country with a land area of nearly 13,000km² and a further 1,000km² of marine waters. Around half a million people live in the district and this population is growing every year, partly owing to the spread of Dublin’s commuter belt. The rich soils of the southeast region are particularly suitable for agriculture; around half the land is given over to tillage and grassland, which has given rise to a thriving food-manufacturing industry. However, the agricultural industry in the southeast is facing dramatic change following the closure of the sugar beet industry. The district’s waters

support fishing and boating activities and the coastline of Wexford and Waterford are popular holiday resorts.

The population density is high compared with the rest of Ireland, and the region has seen over 10% population growth over the past ten years. The largest urban area is Waterford City, but there are also several large towns. While the urban areas (mostly centred on rivers and ports) are home to many people and industries, 80% of the district's population lives in small villages or one-off houses in rural areas. The growing population is putting demand on the systems that deliver drinking water and treat wastewater and is also creating development demand throughout the district.

In addition, some areas of the RBD contain rare and vulnerable habitats and wildlife. These areas include parts of the Barrow, Nore, Suir and Slaney rivers as well as coastal areas such as Hook Head, Carnsore Point, Wexford and Dungarvan Harbours and Bannow Bay (**Figure 3**).



Figure 2 South Eastern RBD

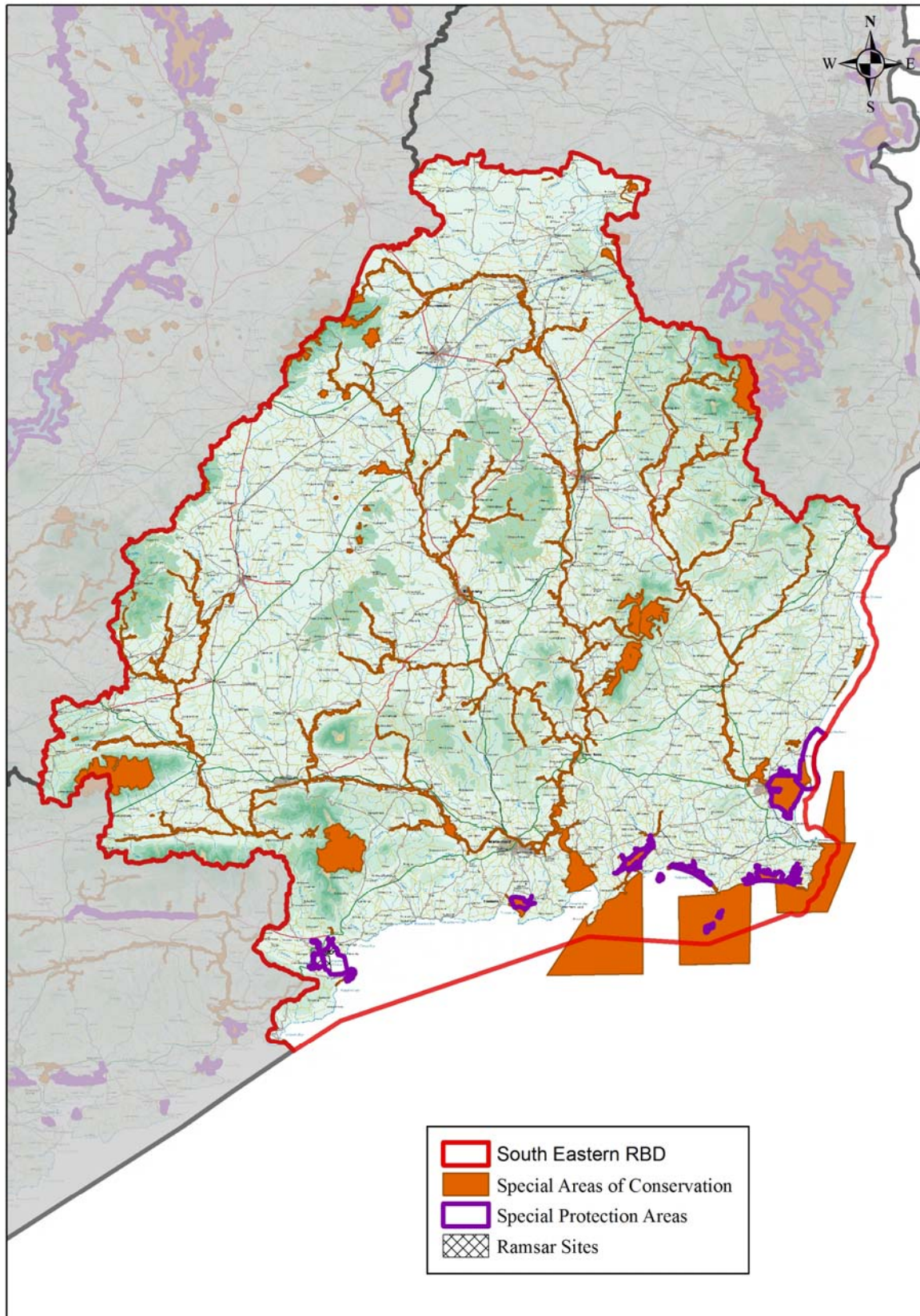


Figure 3 Map of SACs, SPAs and Ramsar sites in the SERBD

1.3 Strategic Environmental Assessment (SEA)

SEA is a process for evaluating, at the earliest appropriate stage, the environmental effects of plans or programmes before they are adopted. Habitats Directive Article 6 assessment is a complementary process to SEA and is specifically designed to protect European sites. Habitats Directive Article 6 assessment differs from SEA in one critical respect: it *obliges* any plan/programme to note and integrate its findings and modify the relevant plan/programme where necessary. Habitats assessment allows for the assessment of the effects of a plan or project on a European site to enable a judgement to be made on whether there will be an adverse effect on the site's integrity. It is important to note that the phrase '*Appropriate Assessment*', refers to a stage in the sequence under Habitats assessment, and is sometimes used more loosely to refer to the whole process set out under Articles 6(3) and 6(4) of the Habitats Directive (Dodd *et al.*, 2008), and therefore note that for the present assessment the term '*Habitats Directive Article 6 assessment or Habitats Assessment*' will be used, not '*Appropriate Assessment*'. The table below illustrates the linkages between the SEA and the habitats assessment. Liaison between the SEA team and the habitats assessment team was critical throughout the process to ensure that results from the habitats assessment was incorporated in to the SEA Environmental Report, but more critically that it could facilitate changes to the Draft RBMP and thereby make it a more robust Plan.

Table 1 Links between the SEA process and the Habitats Assessment Process

Stage	SEA	Habitats Directive Article 6 Assessment	HA stage definitions
1	Screening	Screening	The process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant.
2	Scoping	Appropriate Assessment	The consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts.
3	Alternatives	Assessment of preferred alternatives	The process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 sites.
4	SEA Statement	Assessment where no alternatives exist	An assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed

1.4 Habitats Directive Article 6 assessment (Habitats Assessment)

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora better known as “The Habitats Directive” provides the framework for legal protection for habitats and species of European importance. Articles 3 to 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network. The Habitats Directive and the Birds Directive and sites designated under them form this network of European protected sites that are better known as the Natura 2000 network. This consists of;

- Special Areas of Conservation (SACs) for flora, fauna and habitats of Community interest under the EU Habitats Directive;
- Special Protection Areas (SPAs) for rare, vulnerable or migratory birds under the EU Birds Directive; and
- Sites that are being considered for designation as one of the above are referred to as cSAC (candidate) or pSPA (proposed).

Ramsar sites are wetlands of global importance, listed under the Convention on Wetlands of International Importance. Ramsar sites overlap with SACs and/or SPAs. A policy for the protection of Ramsar sites does not exist in Ireland, however they are indirectly afforded protection due to the overlap with Natura 2000 sites and therefore included for the purposes of this report.

Article 6 sets out provisions which govern the conservation and management of Natura 2000 sites. Article 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect Natura 2000 sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment:

“Any plan or project not directly connected with or necessary to the management of the [Natura 2000] site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subjected to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In light of the conclusions of the assessment of the implication for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after

having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public”

This assessment is underpinned by the precautionary principle, especially in the assessment of potential impacts and their resolution. If it is not possible to rule out a risk of harm on the evidence available then it is assumed a risk may exist and it needs to be dealt with in the assessment process, preferably through changes to the proposed measure or through options such as avoidance or mitigation if possible. One example of this from the Draft RBMP is illustrated under the additional measures (further actions) that are proposed. The measure ‘Chanelisation impact remediation schemes’ (PM6 in Table 6 in section 3.0) is proposed which would include such remediation works as the re-meandering of straightened channels, reconstruction of pools, substrate enhancement, removal of hard bank reinforcement/revetment or replacement with soft engineering solutions. Channelisation/restoration/enhancement schemes have the potential to improve previously impacted rivers from these types of works, and this in particular could benefit rivers which were previously straightened, or where habitats for fish spawning etc. were destroyed in Natura 2000/Ramsar sites. This in turn would allow naturalisation of the river channel and the flora and fauna to re-colonise areas which were unsuitable as a result of channelisation impacts. However, in order for this measure to be applied, assessments of where such remediation works are needed, needs to be carried out, as proposed in the measure detailed as PM5 (Table 6 in Section 3.0). In the assessment of this measure therefore, without knowing the locations for where remediation schemes will take place, it is recommended that such schemes are screened to determine whether a likely significant impact from the schemes are expected to occur to a Natura 2000/Ramsar site as a result of activities in/adjacent to/in the catchment of a Natura 2000/Ramsar site.

1.5 Stages of the Habitats assessment

The stages of an Habitats assessment are outlined in the European Commission guidance ‘*Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological Guidance on the provision of Article 6(3) and 6(4) of the ‘Habitats’ Directive 92/43/EEC*’ (EC 2002) and ‘*Managing Natura 2000 Sites: The provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC*’ (EC, 2000). The Habitats Directive promotes a hierarchy of avoidance/protection, mitigation and compensatory measures. First the proposed scheme

should aim to avoid any negative impacts on European sites by identifying possible impacts early in the plan/programme making, and designing the plan/programme in order to avoid such impacts. Second, mitigation measures should be applied, if necessary, during the appropriate assessment process to the point, where no adverse impacts on the site(s) remain. If the proposal is still likely to result in adverse effects, and no further practicable mitigation is possible, then it is rejected. If no alternative solutions are identified and the plan is required for imperative reasons of overriding public interest (IROPI test) under Article 6(4) of the Habitats Directive, then compensation measures are required for any remaining adverse effect. A flow diagram is presented below illustrating the four stages of the Habitats assessment process, modified from European communities (2002), and as presented in Mayes (2008). These are also set out below.

Stage 1 Screening

The first stage is to determine if the plan/programme is directly connected with or necessary to the site management for nature conservation. If the answer is no, as is the case with the Draft RBMP, it must be determined if the plan/programme is likely to have significant effects on a Natura 2000/Ramsar site(s). If the answer is yes, then the assessment advances to Stage 2. Stage one screening involves the identification of the plan/project objectives, and a review of alternatives methods to achieving the objectives.

Stage 2 Appropriate Assessment (AA)

The second stage is to determine if the plan/programme will adversely affect the integrity of the Natura 2000/Ramsar site(s). This involves the identification of potentially affected water bodies and their location in relation to Natura 2000/Ramsar sites. It involves the identification of the habitats and species within these sites, and an assessment of the significance of impacts on their conservation status. An assessment of cumulative impacts (both from the plan/programme objectives, and other policies, plans and programmes) should be carried out, and mitigation measures proposed for potential impacts if possible. These mitigation measures should then be consulted upon with the relevant agencies and the public, and following receipt of comments, if it can be concluded that no adverse impacts are found on the integrity of the site, the plan/programme may proceed for approval. If not, then the assessment advances to Stage 3.

Stage 3 Assessment of Alternative solutions

Stage 3 involves the identification of alternative solutions following a review of the outcomes of Stage 2. Alternative solutions should be developed, and Stage 1 and Stage 2 assessments completed for these alternatives. If there are no alternative solutions identified, then the assessment advances to Stage 4.

Stage 4 Assessment where no alternative solutions exist and where adverse impacts remain

Stage 4 assessment examines whether there are imperative reasons of overriding public interest (IROPI) for the plan/programme to go ahead. If the answer is yes, then compensatory measures need to be agreed with the European Commission, before the plan/programme can proceed. If not, then the plan/programme is rejected.

1.6 Consultation

Consultation on the methodology used for the Habitats assessment (described in section 2.0 below) and the results from the assessment was held with the National Parks and Wildlife Service (NPWS) (part of the Department of Environment Heritage and Local Government), who is the competent Authority for the conservation of habitats and species in Ireland. Comments were received on the methodology which informed the process and developed the methodology to its final form. In addition a one day workshop was held with NPWS to review the outcomes of Stage One Screening, and to discuss suggested changes to the Draft RBMP as a result of findings. Potential mitigation measures arising from the POMs were also discussed and recommendations made for the assessment of future plans or programmes where decisions should be made on a case by case basis.

This Habitats Assessment Report does not form the final step in the process. The consultation programme on the draft RBMP and POMs will also provide an opportunity for statutory bodies and stakeholders to comment on the findings of this report. The development of the consultation programmes for the draft RBMP, the SEA Environmental Report and the Habitats Directive Article 6 assessment report are currently underway. Please see the SERBD website (www.serbd.com) for details of these which will be posted as they become

available. Following consultation, the comments received will be considered and a revised Final RBMP, SEA statement and Habitats Directive Article 6 Report, will be completed.

Written submission or observation are now invited with respect to the draft South Eastern River Basin Management Plan, associated SEA Environmental Report and Habitats Directive Assessment. Written submission should be forwarded for the attention of Ray Spain on or before the 22nd of June 2009 (contact details below). These submissions/observations will be taken into consideration before finalisation of the RBMP. Early responses would be appreciated to allow more time to clarify and resolve issues that may arise.

Mr. Ray Spain

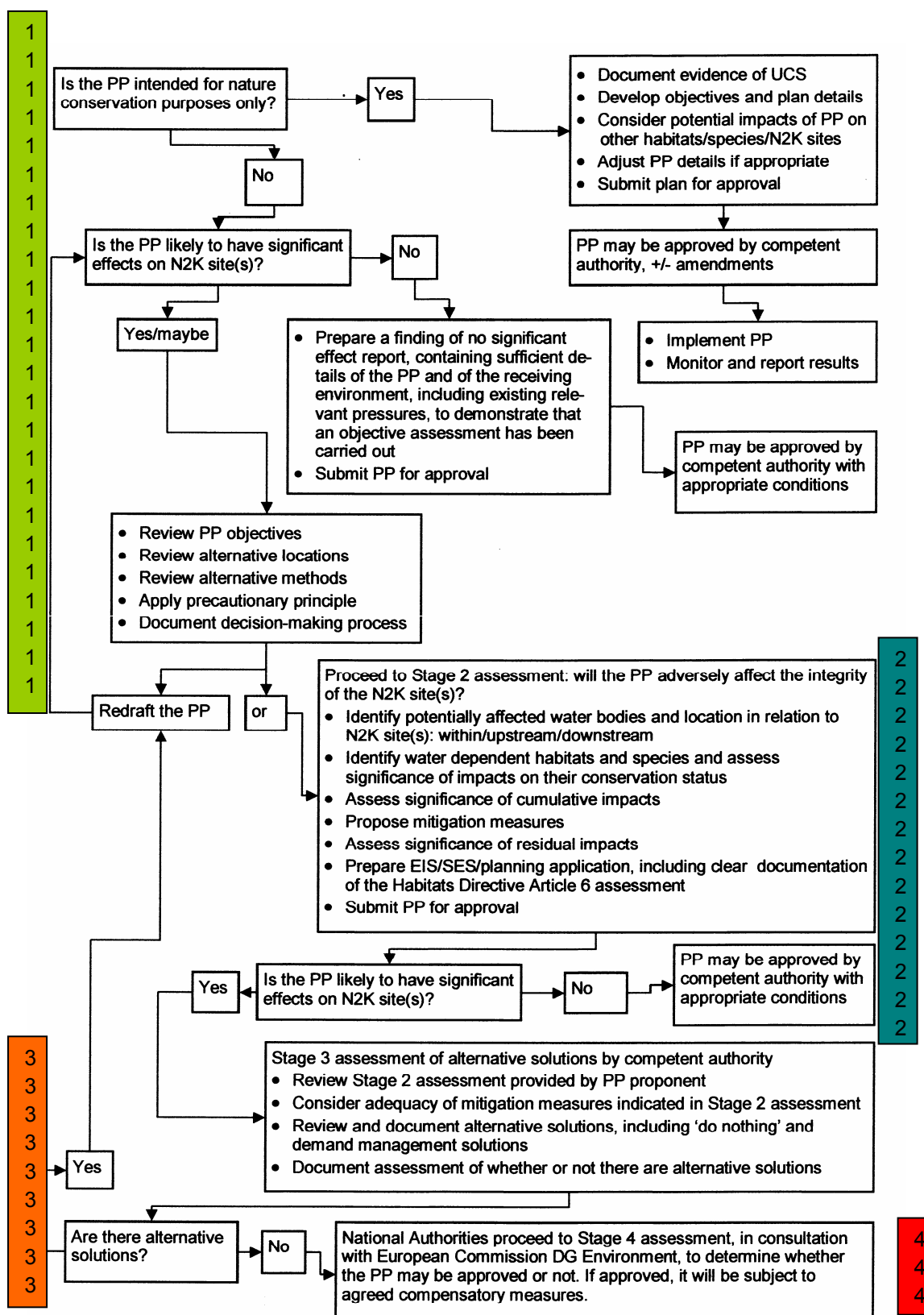
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Flow diagram of the four stages of the Habitats assessment process, modified from: European Communities 2002, and presented in Mayes (2008)

2.0 Methodology

2.1 Data collection

An extensive data collection exercise was carried out for the purposes of this assessment. The data collated is as follows:

- A full list of all SACs, SPAs and Ramsar sites in the SERBD, and details of their qualifying features, were collated, along with their geographical locations and extent of the sites which were provided as Geographical Information System (GIS) layers (Arc GIS format). This data is available from the Register of Protected Areas established under the WFD (SACs and SPAs only) and from NPWS for Ramsar sites. The list of sites for the SERBD are detailed in Appendix I. In total 46 SACs, 14 SPAs and 7 Ramsar sites were assessed within the SERBD. It should be noted that in Ireland, the qualifying interests for the SPAs *are not available*, therefore, for the purposes of this assessment, a list of the birds of international and national importance at each site was ascertained from the site synopsis forms available for SPAs (available on www.npws.ie).
- The conservation objectives associated with SACs and SPAs have been made available to the assessment team by NPWS. These are detailed in **Appendix I** for each site located in the SERBD.

There are 420 SACs and 136 SPAs listed for Ireland by NPWS. There are limited conservation management plans prepared for designated sites – 45 have been published on the NPWS website (a conservation plan includes descriptive information about a site and a management framework section which outlines objectives and strategies). For conservation management plans which are available, maps are produced to accompany the text including indicative habitat maps. Work is currently concentrating on compiling plans for SACs including updating and re-formatting old draft conservation plans, as well as writing new plans. All maps associated with each plan are now being digitised, and therefore were not available to the assessment team at this point.

The conservation management plans available for Ireland can be accessed on the NPWS website (<http://www.npws.ie>).

For sites where no conservation management plans are available, a list of generic conservation objectives were made available to the assessment team for use. These are:

For SACs:

- To maintain the Annex I habitats for which the cSAC has been selected at favourable conservation status.
- To maintain the Annex II species for which the cSAC has been selected at favourable conservation status.
- To maintain the extent, species richness and biodiversity of the entire site.
- To establish effective liaison and co-operation with landowners, legal users and relevant authorities.

For SPAs

- To maintain the bird species of special conservation interest, for which this SPA has been listed, at favourable conservation status.

These generic measures however do not provide information on the main threats to the habitat or species interests within the SACs and SPAs. For SACs however, this is available through Ireland's Article 17 Report to the European Commission '*The Status of EU Protected Habitats and Species in Ireland*' (NPWS, 2008). The background documents associated with this report provides the first assessment of the status of the habitats and species that Ireland is required to protect under the Habitats Directive. The conservation status for listed habitats and species is assessed across the whole national territory, and therefore, site by site assessments are not available at this time due to gaps in monitoring data. There is no similar information collated for SPAs, and therefore the main threats were not available for assessment within this report.

- The Draft RBMP and the POMs were assessed. There are two types of POMs under the Draft RBMP;
 - **Required** measures which are required by law and affect all waters.

- **Additional** measures which can be chosen to target problems in some or all waters if basic measures don't achieve the objectives of the WFD.

The terminology used to describe the measures included in the draft Plan differs slightly between the Habitats assessment (and the SEA for the SERBD) and the draft RBMP itself. Therefore, the following table is provided to assist the reader when comparing the Habitats assessment/SEA with the draft RBMP.

Habitats assessment/SEA Terminology	Northern Ireland Plan Terminology	Ireland Plan Terminology
Required Measures Contained in Existing Water Protection Directives as listed Annex VI Part A of the WFD	Actions we are already taking	Basic Measures
Other Required Measures as listed in Article 11(3) of the WFD	Actions we are already taking	Other Basic Measures
Additional Measures	Further Actions	Supplementary Measures

A description of the POMs are provided in the results section below (Section 3.0, Tables 3, 4 and 6). In summary, where application of these required and other required measures will not be sufficient to achieve the default objective, additional measures, or actions, need to be identified and considered. Based on this it was determined that implementation of the legally required measures alone represented the 'business as usual' scenario as they are reflected in existing statutory requirements under related legislation, and they would be required measures in the absence of any additional policy changes or improvements to infrastructure, while the additional measures / actions represent the range of alternatives that could form the basis of the RBMP. The required measures, other required measures and the additional measures were assessed for their potential impacts on Natura 2000 and Ramsar sites, results of which are detailed in Section 3.0.

- Review of other Policies, Plans and Programmes

The purpose of this review is to take into consideration the policy and legislative framework within which the Draft RBMP/POMs are being developed. For Habitats assessment, it is also required to identify all those elements of other policies, plans and programmes, that have the potential for having significant effect on Natura 2000/Ramsar sites either alone or in combination with each other or with the Draft RBMP/POMs. Appendix III outlines the policies, plans and programmes which are relevant, and assesses

the way the objectives outlined within them, impact in isolation or in combination with each other, and with the Draft RBMP/POMs. The results of this assessment are detailed in Section 3.0 below.

2.1 Screening methodology

This assessment has been undertaken in accordance with European Commission guidance i.e. the following guidance documents were adhered to;

- Managing Natura 2000 sites: The provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC (European Communities, 2000), and
- Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Communities, 2002).

In addition, guidance prepared for use in Ireland was also adhered to:

- Department of Environment Heritage and Local Government Circular letter SEA 1/08 & NPWS 1/08. Appropriate Assessment of Land Use Plans. 15th February 2008.
- Department of Environment Heritage and Local Government Circular letter L8/08. Water Services Investment and Rural Water Programmes – Protection of Natural Heritage and National Monuments. 2nd September 2008.

A methodology to advance Stage 1 Screening was agreed between NPWS and the habitats assessment team. As mentioned under the data collection section, a detailed list of all SACs, SPAs and Ramsar sites in the RBD was provided by NIEA. The qualifying interest features for each site were also identified. The key environmental conditions (conservation objectives) needed to support site integrity were detailed for each site as were the threats to each site. The proposed list of POMs under the Draft RBMP were assessed to determine the likely significant effects on Natura 2000/Ramsar sites. At this stage in the assessment, where it was identified that the POMs could potentially have negative effects on Natura 2000/Ramsar sites, alternative solutions e.g. changes to the POMs were proposed and discussed with the NPWS (through a one day workshop, and through email consultation), and rewording of the POMs or caveats in the proposed implementation were developed. Results were then relayed to both the SEA team and the RBMP team in order to modify the POMs. An assessment of

the potential for ‘in combination’ effects from the various POMs was also carried out. A detailed assessment of other policies, plans and programmes in the RBD area was also undertaken, and an assessment made of the potential ‘in combination’ effects arising from these plans/programmes being implemented together, or in combination with the Draft RBMP under consideration. Finally the outcomes of the screening stage were summarised.

At this stage in the process, if it is concluded that significant effects are likely, or that there is not sufficient certainty to conclude otherwise, the next stage of the Habitats assessment methodology (Appropriate Assessment) should be carried out. However, if it can be concluded at this stage that there are unlikely to be significant effects on the Natura 2000 and Ramsar sites, then a finding of no significant effects should be found.

Results of that screening are detailed in Section 3.0 under the following headings;

- Description of the Plan in this case the Draft RBMP and POMs. Assessment of the POMs, and their potential impacts on Natura 2000/Ramsar sites in the RBD, either in isolation or in combination with each other, and a summary of assessment findings
- Assessment of other policies, plans and programmes in the RBD which could potentially impact on Natura 2000/Ramsar sites, either in isolation or in combination with each other and with the Draft RBMP
- Identification of sites potentially effected

3.0 Results

As mentioned in section 1.4, Habitats assessment is approached on a stage by stage basis. Results for Stage 1 (Screening) are set out below.

3.1 Stage 1 – Results of Screening

Description of the Draft SERBD RBMP

A description of the SERBD project area was outlined in section 1.2. The Draft RBMP and POMs is detailed in Section 3.1.1 below.

3.1.1 River Basin Management Plan

A sequential approach was taken to developing the RBMPs and their associated POMs. This involved asking a number of questions as to determine the needs of each RBMP, as laid out in **Table 2**.

Table 2 Steps to RBMP and POM development

Questions	Details	Where has this been answered
What Causes Our Water Problems?	Which issues are causing problems? What waters should be the focus and what actions should we take to solve them.	Article 5 Characterisation - Technical Summary Report Significant Water Management Issues Booklet POMS study output reports Draft River Basin Management Plan
How Healthy Are Our Waters?	What is the condition of the waters?	WFD Monitoring Programme National Report WFD Status Background Document Draft River Basin Management Plan

Questions	Details	Where has this been answered
What Do We Plan To Achieve?	Once we know the condition of our waters and the causes of their problems we have to set sustainable goals, or objectives; this means deciding what standards we need our waters to achieve, in balance with what uses and special interests we need them to support.	WFD Objectives & Exemptions Background Document Draft River Basin Management Plan
What Actions Must We Take?	The Water Framework Directive stipulates some basic measures we have to take to manage our waters. We have identified actions under these basic measures, setting out existing and new plans and programmes to ensure full and effective implementation.	Programme of Measures Background Documents POMS study output reports Draft River Basin Management Plan
What Will Basic Measures Achieve?	We need to identify how far the basic measures will take us towards achieving our objectives. We have assessed how effective these measures will be and identified cases where extra effort may be needed to improve or protect our waters.	WFD Objectives & Exemptions Background Document Draft River Basin Management Plan
What Further Actions Can We Take?	We need to identify additional actions that can go further than the basic measures to deal with any remaining problems in targeted waters. Alternative actions have to be tested to select ones that are practical, feasible and of significant benefit.	Programme of Measures Background Document POMS study output reports Economic Baseline and Guidance Background Documents Draft River Basin Management Plan
What Will Additional Measures Achieve?	Again we need to review how far the basic plus the additional measures will take us towards achieving our objectives. In some cases, even after considering every possible action, we may not be able to restore waters and objectives must be refined.	WFD Objectives & Exemptions Background Document Artificial and Heavily Modified Water Bodies Background Documents Draft River Basin Management Plan
Our Objectives in the South Eastern District	We have set out the particular waters in the South Eastern District where we have proposed alternative objectives. The timescales for achieving improvements in our waters are also demonstrated.	Draft River Basin Management Plan Electronic Reporting Tool

Questions	Details	Where has this been answered
Our Plan For The South Eastern District	The outcome of this planning process is an action programme for the South Eastern District to achieve these improvements. We have proposed a detailed action plan setting out what, where and when actions are needed and who will do them.	Draft River Basin Management Plan Electronic Reporting Tool

Further information on the supporting documents and WFD electronic reporting tool is available on www.wfdireland.ie.

Each of the RBMPs must include a set of management measures (POMs) aimed at achieving the objective of good status by 2015 under the WFD. There are two types of POMs under the Draft RBMP (please note terminology used as outlined in section 2.1);

- **Required** measures, and **Other Required** measures which are mandatory by law and affect all waters.
- **Additional** measures which can be chosen to target problems in some or all waters if basic measures don't achieve the objectives of the WFD.

Required Measures

Article 11 of the WFD sets out what must be covered by the POMs for each (I)RBD. Fundamental to Article 11 are measures which implement 11 key existing European water protection directives, as laid out in Article 10 and part A of Annex VI of the WFD. These **required** measures are mandatory and include the actions in **Table 3**. In addition, Article 11(3) of the WFD proposes further measures or **other required** measures be carried out. These further measures are also mandatory and include the actions outlined in **Tables 4a** and **4b**. **Table 5** outlines the assessment of the potential for these required and other required measures to impact on Natura 2000/Ramsar sites.

Where application of these **required** measures will not be sufficient to achieve the default objective, **additional** measures, or actions, need to be identified and considered. These additional measures are outlined and assessed in **Table 6**. **Tables 3, 4a, 4b** and **6** include measures considered in both the Northern Ireland and Ireland plan making processes.

Based on this it was determined that implementation of the legally required measures alone represented the ‘business as usual’ scenario, in that they would be required measures in the absence of any additional policy changes or improvements to infrastructure, while the additional measures / actions represent the **range of alternatives** that could form the basis of the RBMP.