

Draft Strategic Environmental Assessment Screening Report

For

**Draft Climate Change Adaptation Strategy for Kilkenny
County Council**

*Determination of the need for a Strategic Environmental
Assessment for Kilkenny County Council Climate Change
Adaptation Strategy prepared under the National Climate
Change Adaptation Framework*

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ON BEHALF OF

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1 INTRODUCTION

1.1 Background

The Earth's Climate is changing. While natural fluctuations in climate are considered normal, emerging research and observational records from across the world show rates of change that are far greater than those experienced in recent history. Global temperatures have risen and are projected to rise further bringing changes in weather patterns, rising sea levels and increased frequency and intensity of extreme weather. Ireland's climate is changing in line with global patterns, and these changes are bringing significant and wide-ranging economic, environmental and social impacts.

Climate change is recognised as a global challenge with policy responses required in terms of both mitigating the causes of climate change and in adapting to the now inevitable consequences of our changing climate. Action at local level is vitally important to help reduce the risks and impacts of climate change across communities.

This local authority Draft Climate Change Adaptation Strategy forms part of Ireland's national strategy for climate adaptation as set out in the National Adaptation Framework (NAF), which has been produced under the provisions of the Climate Action and Low Carbon Development Act 2015.¹

An aim of the Climate Change Adaptation Strategies is to mainstream climate change adaptation over time into all functions, operations, and services of the local authority. It seeks to inform or 'climate proof' existing plans and policies produced and implemented by the local authority. This is to ensure a considered, consistent and coherent approach, facing head on the challenges of a changing climate. Crucially, it also helps in building resilience within the local authority organisation itself as well as across all communities.

2 LEGISLATIVE CONTEXT

2.1 Strategic Environmental Assessment

A Strategic Environmental Assessment (SEA) is the formal, systematic evaluation of the likely significant environmental effects of implementing a plan or program or variation to a plan or program before a decision is made to adopt it. The SEA Directive² requires, among other things, that SEA is undertaken for certain plans, programs or variations to these.

The SEA Directive has been transposed into Irish law through the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435 of 2004) and The Planning and Development Strategic Environmental Assessment (SEA) Regulations 2004 (S.I. 436 of 2004). These Regulations have since been amended by the European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011 (SI No. 200 of 2011) and the Planning and Development (SEA) (Amendment) Regulations 2011 (SI No. 201 of 2011). The criteria as set out in Annex II of The SEA Directive (Directive 2001/42/EC) on the assessment of the effects of certain plans and programmes on the environment and as also set out in Schedule 2A of the

¹ *Climate Action and Low Carbon Development Act 2015* (S.I. No. 25/2016). Available at <http://www.irishstatutebook.ie/eli/2015/act/46/enacted/en/htm>

² Directive 2001/42/EC of the European Parliament and of the Council of Ministers, of 27th June 2001, on the Assessment of the Effects of Certain Plans and Programmes on the Environment

Planning and Development (SEA) Regulations 2004 (S.I. No. 436 of 2004) needs to be considered while drafting of the Climate Change Adaptation Strategies.

This SEA screening report is consistent with the process as recommended by The Department of Environment, Heritage and Local Government guidance document entitled *Implementation of SEA Directive 2001/42/EC Assessment of the Effects of Certain Plans and Programmes on the Environment November 2004*, specifically Chapter 3 (SEA: Screening and Scoping) and furthermore uses the criteria for SEA screening criteria set out in the SEA Directive.

An Appropriate Assessment Screening Report is also being progressed for this Draft Climate Change Adaptation Strategy in line with Article 6(3) of the EU Habitats Directive (92/43/EEC).

2.2 Climate Change Adaptation

2.2.1 International Context

The **United Nations Framework Convention on Climate Change (UNFCCC)** is an international environmental treaty adopted in May 1992. The framework's objective is "to stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system". The framework did not set binding limits on greenhouse gas emissions and contained no enforcement mechanisms. However, the framework outlined how specific international treaties may negotiate further action towards its key objective. **The Paris Agreement 2015** is a protocol set within the context of the UNFCCC (ratified by Ireland on 4th November 2016) and it is aimed at:

- Limiting global warming to less than 2°C above the pre-industrial level and pursuing efforts to limit the temperature increase to 1.5°C.
- Building Resilience and increasing the ability to mitigate the impacts of climate change.

The agreement states the need for Parties to formulate and implement National Adaptation Plans.

2.2.2 EU Context

The 2013 EU Strategy on Adaptation to Climate Change encouraged all Member states to adopt comprehensive adaptation strategies. It sought for better-informed decision making through the identification and addressing of gaps in knowledge about adaptation. The European Climate Adaptation Platform, Climate-ADAPT, was developed as a resource mechanism to help users access and share information on adaptation.

The Global Covenant of Mayors for Climate and Energy is a voluntary, bottom-up, an approach for cities and local governments to combat Climate Change and move towards a low emission, resilient society. The Global Covenant of Mayors for Climate and Energy brought the Compact of Mayors and the EU Covenant of Mayors under one international body in January 2017 incorporating over 9,000 cities and local governments.

2.2.3 National Context

The 2012 National Climate Change Adaptation Framework (NCCAF) was Ireland's first step in developing a national policy on adaptation actions to combat the impacts of climate change.

The National Policy Position on Climate Action and Low Carbon Development 2014 restated the policy position of the NCCAF, 2012. Greenhouse gas mitigation and adaptation to the impacts of climate change were to be addressed in parallel national plans under an evolving climate policy to 2050.

The Climate Action and Low Carbon Development Act 2015 was a landmark national milestone in the evolution of climate change policy in Ireland. It provides the statutory basis for the national transition

objective laid out in the National Policy Position (as per above). Further to this, it made provision for and gives statutory authority to both the National Mitigation Plan (NMP), published in 2017 and the National Adaptation Framework (NAF) published in 2018. This Local adaptation Strategy forms part of the National Adaptation Framework.

The Local Authority Adaptation Strategy Development Guidelines 2018 provides guidance to Local Authorities to develop their own Climate Action Adaptation Strategy. In developing this adaptation strategy Kilkenny County Council has been consistent with these guidelines.

3 DETERMINING WHETHER A SEA IS REQUIRED

The objective of the SEA Directive for the assessment of the effects of certain plans and programmes on the Environment' is to

“provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.”³

3.1 Kilkenny’s Draft Climate Change Adaptation Objectives

The purpose of the Kilkenny County Council's Draft Climate Change Adaptation Strategy is to achieve the national objective of becoming a more climate resilient society and economy by 2050. In order to help tackle current and future challenges that climate change can present, Kilkenny County Council has set out a number of key objectives in their strategy, under six thematic principles. Table 1 below outlines Kilkenny County Council’s Draft Climate Change Adaptation Strategy objectives per theme.

TABLE 1 KILKENNY’S DRAFT CLIMATE CHANGE ADAPTATION STRATEGY OBJECTIVES

Energy and Buildings
To reduce energy related CO ₂ emissions of Kilkenny County Council
To explore improvements in energy efficiency and help identify value for money in energy spending across the council
To support the increase of renewable energy produced in council operations
To support the reduction of energy imported by the County
To progress Kilkenny County Council’s own energy efficiency and renewable energy projects/ programmes and continue to communicate these experiences to inform best practice across all sectors
To support the improvement of quality of life and thermal comfort for residents in social houses to help reduce the risk of fuel poverty
To increase the awareness and understanding amongst stakeholders and the general public of the objectives of Kilkenny County Council’s Adaptation Plan
Flood Resilience
To mitigate the risk and impact of flooding
To provide and plan for effective drainage systems

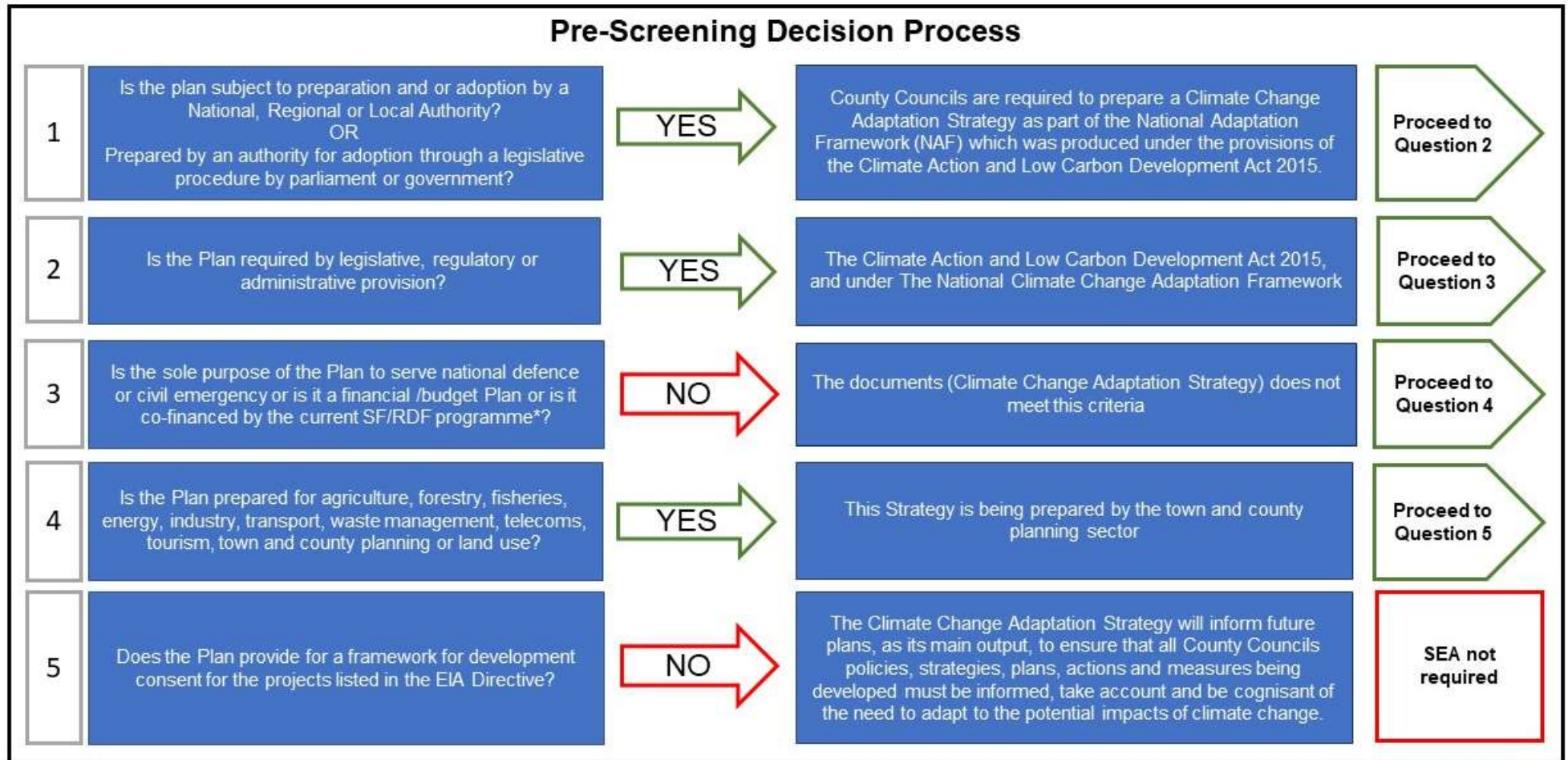
³ Directive 2001/42/EC of the European Parliament and of the Council of Ministers, of 27th June 2001, on the Assessment of the Effects of Certain Plans and Programmes on the Environment

To liaise and work with other bodies, agencies responsible for the management of water courses
Resource Management
To liaise and work with other bodies and agencies responsible for resource management
To promote and maximise resource management initiatives
To integrate climate action considerations into waste management policies
To identify and support opportunities that may arise from pursuing adaptation efforts through the functions of Kilkenny County Council
Transport
To increase the resilience of roads and transport infrastructure
To ensure that climate adaptation is mainstreamed into all transport activities and operations within Kilkenny County Council and the wider community.
To build resilience within Kilkenny County Council to support a modal shift among council staff
To identify and support opportunities that may arise from pursuing modal shift efforts through the functions of Kilkenny County Council
To collaborate with other agencies and groups working with communities to enhance the awareness and effectiveness of community programmes related to modal shift
Nature-Based Solutions & Communities
To build capacity and resilience within communities
To collaborate with other agencies and groups working with communities to enhance the effectiveness of community programmes related to climate change
To protect and encourage climate resilient community Infrastructure

3.2 The requirement to carry out SEA – Pre-Screening Checklist

In order to determine if this Strategy is considered a plan/programme under Article 3 of the SEA Directive, a pre-screening check is necessary. Figure 1 below provides details of the pre-screening checklist; this checklist is based on the decision tree published by the EPA in the *Development of SEA methodologies for plans and programmes in Ireland*.⁴

⁴ P. Scott & P. Marsden., 2001-EEP/DS-2/5 *Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland* Synthesis Report © Environmental Protection Agency 2003



*SF/RDF: Structural Funds and Regional Development Funds under Council Regulation (EC) Nos. 1260/99 and 1257/99 which operate programming periods of 2000–2006 and 2000–2007, respectively.

▼
FIGURE 1 PRE-SCREENING DECISION PROCESS

4 SEA SCREENING DETERMINATION

The Draft Climate Change Adaptation Strategy was screened using the criteria contained in Annex II of the SEA Directive. Table 2 and Table 3 below, details the screening assessment using the *criteria for determining the likely significance of effects* as set out in the SEA Directive, Annex II.

TABLE 2 SCREENING DETERMINATION FOR ANNEX II (1.), CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS

The Characteristics of the Plan and Programmes having regard, in particular, to, the following criteria	
Criteria	Screening Determination
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	<p>The purpose of this Draft Climate Adaptation Strategy is to identify the risks to Kilkenny County associated with climate change and to set strategic goals, objectives and actions to adapt to these changes.</p> <p>Kilkenny County Councils Draft Climate Change Adaptation Strategy forms part of Ireland's national strategy for climate adaptation as set out in the National Adaptation Framework (NAF) which was produced under the provisions of the Climate Action and Low Carbon Development Act 2015.</p> <p>Kilkenny County Councils Draft Climate Change Adaptation Strategy, if adopted, will not set a framework for future development consent of projects, i.e. projects listed in both Annex I and Annex II of the Environmental Impact Assessment Directive.</p>
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	<p>This Draft Climate Change Adaptation Strategy will inform other future plans, as its main output, to ensure that Kilkenny County Councils policies, strategies, plans, actions and measures being developed must be informed, take account and be aware of the need to adapt to the impacts of climate change.</p> <p>Future individual county development policies, strategies, plans and projects must be considered under the SEA, EIA and/or AA processes.</p>
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	<p>As the Draft Climate Change Adaptation Strategy is aimed at integrating climate change adaptation into Kilkenny County Councils plans, strategies and management team's agendas, the climate change adaptation measures will be implemented via future plans.</p>

	<p>This Draft Climate Change Adaptation Strategy's main output is to ensure that all policies, strategies and plans for Kilkenny County Council must be informed of the need to adapt to the potential impacts of climate change.</p> <p>Individual county development policies, strategies, plans and projects must be considered individually under the SEA, EIA and/or AA process.</p>
<p>Environmental problems relevant to the plan or programme;</p>	<p>The Draft Climate Change Adaptation Strategy looks to integrate climate change adaptation into Kilkenny County Council as a management function and/or an important criterion to be considering in developing Local Authority Plans or Actions. The climate change adaptation actions taken will be implemented via future plans as its main output is to ensure that all policies, strategies, plans and measures for Kilkenny County Council must be informed of the need to adapt to the potential impacts of climate change.</p> <p>Individual county development policies, strategies, plans and projects must be considered individually under the SEA, EIA and/or AA process.</p>
<p>The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).</p>	<p>As the Draft Climate Change Adaptation Strategy is aimed at integrating climate change adaptation into identified Kilkenny County Councils Plans and Strategies and Future Plans and Strategies, with some specific actions to help raise awareness of climate change both within management team and the wider public in Kilkenny County, these actions can support plans and programmes that are related to waste generation, management, flood resilience and protection.</p> <p>However, these climate change adaptation actions will be implemented via future plans as its main output is to ensure that all policies, strategies, plans and measures for Kilkenny County Council must be informed of the need to adapt to the potential impacts of climate change.</p>

TABLE 3 SCREENING DETERMINATION FOR ANNEX II (2.), CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS

Characteristics of the Effects and of the Area Likely to be Affected, taking account of the following criteria	
Criteria	Screening Determination
The probability, duration, frequency and reversibility of the effects	<p>Kilkenny County Council Draft Climate Change Adaptation Strategy is aimed at integrating climate change adaptation into the Local Authorities plans, strategies and management agendas, this in itself will help develop climate resilience.</p> <p>The climate change adaptation actions will be implemented via future plans as its main output is to ensure that all policies, strategies, plans and measures developed by Kilkenny County Council must be informed of the need to adapt to the potential impacts of climate change.</p> <p>Individual policies, strategies, plans and measures must be considered individually under the SEA, EIA and/or AA process.</p> <p>Any and all effects uncovered as part of this process will be considered in relation to the characteristics of the effects and of the area likely to be affected and the process will have regard, in particular, to the criteria as listed, according to the legislation.</p>
The cumulative nature of the effects	
The transboundary nature of the effects	
The risks to human health or the environment (e.g. due to accidents)	
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	
<ul style="list-style-type: none"> - <i>special natural characteristics or cultural heritage;</i> - <i>exceeded environmental quality standards or limit values; and</i> - <i>intensive land-use.</i> 	
The effects on areas or landscapes which have a recognised national, community or international protection status.	

5 CONCLUSION

This SEA Screening Report was carried out in order to determine the need for a Strategic Environmental Assessment for Kilkenny County Council Draft Climate Change Adaptation Strategy prepared under the National Climate Change Adaptation Framework. It has been concluded, based on the pre-screening check, and review against the environmental significance criteria as set out in Annex II of the SEA Directive, that a Strategic Environmental Assessment is not required. This is due to the fact that this Strategy does not provide a framework for development consent for projects listed in the EIA Directive. Furthermore, the purpose of this Draft Climate Change Adaptation Strategy is to inform Local Authority policies, procedures and further plans on the need to incorporate climate change adaptation measures and it does not set out projects, plans or specific programmes.