



Screening for Appropriate Assessment Determination

Title: **Tourism Sectoral Adaptation Plan 2025-2030**
Author: **Department of Enterprise, Tourism and Employment**
Type: **High-level national policy plan**
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Introduction

The EU Habitats Directive (92/43/EEC) placed an obligation on Member States of the EU to establish the Natura 2000 network. Natura 2000 is a European network of important ecological sites made up of Special Protection Areas, established under the EU Birds Directive (79/409/EEC), and Special Areas of Conservation, established under the Habitats Directive itself. Ireland's contribution to Natura 2000 is developed through the European Communities (Natural Habitats) Regulations, 1997 (S.I. 94 of 1997 as amended by S.I. 233 of 1998 and S.I. 378 of 2005). These regulations transpose the EU directives into Irish national law.

The purpose of an Appropriate Assessment is to establish whether a particular plan or project is likely to have a significant effect on a Natura 2000 site, either individually or in combination with other plans or projects. Natura 2000 sites in Ireland are Special Protection Areas, and Special Areas of Conservation. The obligation to examine the need to undertake an Appropriate Assessment derives from Article 6(3) and 6(4) of the Habitats Directive. Appropriate Assessment has been a legal requirement in Ireland since the adoption of the European Communities (Natural Habitats) Regulations, 1997.

Where it is obvious or highly likely that a significant impact or impacts will be incurred to any Natura 2000 site, an Appropriate Assessment is required. However, where this is not the case, a preliminary screening must first be carried out to determine whether a full Appropriate Assessment is required. In accordance with guidance available at national and EU level, the Department of Enterprise, Tourism and Employment carried out this screening of The Tourism Sectoral Adaptation Plan 2025-2030.

Appropriate Assessment Process

Regulation 42 of the Habitats Regulations requires undertaking Stage 1 Screening for Appropriate Assessment, and where necessary Stage 2 Appropriate Assessment, of any plan or project for which an application for consent is received. Stage 1 Screening for Appropriate Assessment considers the first two tests of Article 6(3) of the Habitats Directive, specifically:

- i. whether a plan or project is directly connected to or necessary for the management of the site, and
- ii. whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a Natura 2000 site in view of its conservation objectives.

If the effects are deemed to be significant, potentially significant, or uncertain, or if the screening process becomes overly complicated, then the process must proceed to Stage 2. As prescribed, Stage

1 Screening for Appropriate Assessment process should include the following steps:

- i. A description of the plan or project and local site or plan area characteristics
- ii. Identification of relevant Natura 2000 sites, and compilation of information on their qualifying interests and conservation objectives
- iii. Assessment of likely effects – direct, indirect and cumulative – undertaken on the basis of available information as a desk study or field survey or primary research as necessary
- iv. Screening statement with conclusions.

1. Description of the Tourism Sectoral Adaptation Plan 2025-2030

The Tourism Sectoral Adaptation Plan 2025-2030 is an overarching policy which aims to identify challenges and opportunities of a changing climate for the tourism sector in order to maintain the attractiveness of Ireland for holidaymakers and continue to support resilient communities via provision of employment and economic opportunities. It is acknowledged that the tourism sector itself overlaps many environmental, economic and social realms. Accordingly, many measures in other SAP's will be of relevance to tourism and proposed mitigation measures will also benefit the tourism sector. Implementation of this Plan should prioritise reducing the consequences for the sector of the climate related hazards identified by the NCCRA.

2. Identification of relevant Natura 2000 sites

The Tourism Sectoral Adaptation Plan 2025-2030 is a national plan and as such, has the potential to affect all 607 Natura 2000 sites in Ireland - comprising 441 SACs and 166 SPAs⁵. It is not, however, directly connected with, or necessary to the management of, any of these sites.

3. Assessment of Likely Effects

The probability that The Tourism Sectoral Adaptation Plan 2025-2030 will result in significant environmental effects is low. It does not set a framework for development, nor does it propose the location, nature, size or operating conditions of tourist developments, visitor attractions or support infrastructure.

The Tourism Sectoral Adaptation Plan 2025-2030 is not a development plan; rather, it provides strategic direction and policy objectives to guide future decision-making and programme design.

The following guidance from the European Commission is also relevant for this assessment:

Sectoral plans should also be considered as covered by the scope of Article 6(3), again in so far as they are likely to have a significant effect on a Natura 2000 site. Examples might include transport network plans, energy plans, waste management plans, water management plans or forest management plans (see C-441/17, 122–124).⁶ However, a distinction needs to be made with ‘plans’ which are in the nature of policy statements, i.e. policy documents which show the general political will or intention of a ministry or lower authority. An example might be a general plan for sustainable development across a Member State’s territory or region. It does not seem appropriate to treat these as ‘plans’ for the purpose of Article 6(3), particularly if any initiatives deriving from such policy statements must pass through the intermediary of a land use or sectoral plan (C 179/06, paragraph 41)⁴⁴. However, where the link between the content of such an initiative and likely significant effects on a Natura 2000 site is clear and direct, Article 6(3) should be applied.

4. Screening Statement / Conclusion

The Tourism Sectoral Adaptation Plan 2025-2030 is a high-level strategic statement that does not set a framework for development, nor does it propose the location, nature, size or operating conditions of tourist developments, visitor attractions or support infrastructure. In this context, the following points are noted:

- The Tourism Sectoral Adaptation Plan 2025-2030 does not set a framework for development decisions; does not determine or set the management framework for the Natura 2000 sites; does not set the location or proposed location of individual projects; and does not set a program for the undertaking, timing or phasing of development.
- In line with European Commission guidance, sectoral policy documents that express general political intent such as the Tourism Sectoral Adaptation Plan 2025-2030 are not considered “plans” for the purposes of Article 6(3) of the Habitats Directive.
- The Tourism Sectoral Adaptation Plan 2025-2030 is not directly connected with, or necessary to the management of, any of the 607 Natura 2000 sites in Ireland.
- Implementation of the objectives in The Tourism Sectoral Adaptation Plan 2025-2030 may require the development of downstream plans and project proposals which, if relevant, will in themselves be subject to consideration regarding potential environmental impact.

Therefore, the Department of Enterprise, Tourism and Employment is satisfied that the conditions set out in the first two tests of Article 6(3) of the Habitats Directive are not breached through the

implementation of the Tourism Sectoral Adaptation Plan 2025-2030, and that Appropriate Assessment is not required.

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