

Questionnaire for the report of Ireland on the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context in the period 2019–2021

Information on the focal point for the Convention

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Part one

Current legal and administrative framework for the implementation of the Convention

In this part, please provide the information requested, or revise any information relative to the previous report. Describe the legal, administrative and other measures taken in your country to implement the provisions of the Convention. This part should describe the framework for your country's implementation, and not its experience in the application of the Convention.

Please do not reproduce the text of the legislation itself but summarize and explicitly refer to the relevant provisions transposing the text of the Convention (for example, Environmental Impact Assessment Law of the Republic of ..., article 5 (3) of Government Resolution No. ..., para. ... item...)

Article 1

Definitions

I.1.1. Is the definition of the term “impact” for the purpose of the Convention the same in your legislation as that contained in article 1 (vii)?

- (a) Yes
- (b) Yes, with some minor differences (please explain the differences):
- (c) No, there are major differences (please explain the differences):
- (d) The term “impact” is not defined in the legislation

Your comments: The term impact is not defined in Irish legislation; however, Irish legislation (for example, section 171A(b)(i) of the Planning and Development Act 2000 (as amended) - available on the website of the Department of Housing, Local Government and Heritage (<https://www.gov.ie/en/publication/c0ac2-planning-legislation-primary-legislation/>), states that ‘environmental impact assessment’ includes:

“(i) an examination, analysis and evaluation, carried out by the planning authority or the Board, as the case may be, in accordance with this Part and regulations made thereunder, that identifies, describes and assesses, in an appropriate manner, in the light of each individual case, the direct and indirect significant effects of the proposed development on the following:

- (I) population and human health;*
- (II) biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive;*
- (III) land, soil, water, air and climate;*
- (IV) material assets, cultural heritage and the landscape;*
- (V) the interaction between the factors mentioned in clauses (I) to (IV)”.*

I.1.2. Is the definition of the term “transboundary impact” for the purpose of the Convention the same in your legislation as that contained in article 1 (viii)?

- (a) Yes, the same
- (b) Yes, with some minor differences (please explain the differences):
- (c) No, there are major differences (please explain the differences):

(d) The term “transboundary impact” is not defined in the legislation

Your comments: However, Irish legislation (for example Section 174 of the Planning and Development Act 2000, as amended) obliges the decision making authority to have regard, where appropriate, to the views of any Party to the Transboundary Convention in respect of an application for planning permission for development that is likely to have significant effects on the environment in state which is a party to the Transboundary Convention.

I.1.3. Please specify how the term “major change” is defined in your national legislation:

“Major change” is not defined; however, we do provide for assessment of changes or extensions to development in Irish legislation (for example as per Class 22 of Part 1 and Class 13 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended).

I.1.4. How do you identify the public “of the affected Party in the areas likely to be affected”? Please specify (more than one option may apply):

- (a) Based on the geographical location of the proposed project
- (b) By making the information available to all members of the public and letting them identify themselves as the public concerned
- (c) By other means (please specify):

Your comments:

I.1.5. How do you determine the “significance” of the environmental impact of the activities falling within the scope of the Convention?¹ Please specify (more than one option may apply), providing relevant explanations:

- (a) By establishing threshold levels (please explain)
- (b) By applying criteria related to the location of proposed activities (please explain)
- (c) By applying criteria related to the nature of proposed activities (please explain)
- (d) By applying criteria related to the size of proposed activities (please explain)
- (e) By applying criteria related to the effects of proposed activities (please explain)
- (f) Other (please explain):
- (g) It is not determined (please explain:)

Your comments: The majority of EIA takes place in the planning system. Parts 1 and 2 of Schedule 5 of the Planning and Development Regulations 2001 – 2022 (the Regulations), list the development types that need mandatory EIA (Part1) or must be screened for EIA (Part 2). For certain development types listed in Parts 1 and 2 of Schedule 5 some inclusion thresholds for EIA are applied. Additionally, Schedule 7 of the Regulations lists the criteria that must be considered when carrying out an EIA screening procedure. This criteria covers the nature and size of the proposed development, its location and the type and characteristics

¹ Although the term “significance” is not explicitly defined in the Convention, appendix III thereto provides general criteria to assist in determining the environmental significance of activities not listed in appendix I.

of the potential environmental impact. Schedules 5 and 7 of the Regulations can be viewed here <https://www.gov.ie/en/publication/c0ac2-planning-legislation-primary-legislation/>

I.1.6. Please clarify whether “cumulative impacts” are taken into account in transboundary procedures under the Convention in your national legislation and, if so, how:

(a) Yes, the legislation provides for taking into account cumulative impacts:

Please explain:

(b) No, the legislation does not provide for taking into account cumulative impacts

Please explain:

Your comments: However, for developments taking place within the planning system, Schedule 6 of the Regulations applies, which sets out the information that must be contained in an Environmental Impact Assessment Report. Section 2(e)(i)(V) covers the ‘*cumulation of effects with other existing or approved developments, or both, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources*’.

Planning and Development Regulations 2001 to 2022 can be viewed at <https://www.gov.ie/en/publication/c0ac2-planning-legislation-primary-legislation/>

Article 2 General provisions

I.2.1. Provide information on legislative, regulatory, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2 (2)):

(a) Law on environmental impact assessment (please provide exact title/reference number/year/access link, if any):

(b) Environmental impact assessment provisions are transposed into another law/other laws (please specify and provide title(s) of the related legislation): Yes

(c) Regulation (please indicate number/year/title/related articles/access links):

(d) Administrative (please indicate number/year/title/related articles/access links):
Yes

(e) Other (please specify):

Please explain: The Convention’s provisions are implemented through domestic legislation. The requirements of Article 2.2 of the Convention are transposed through the legislation listed in Annex A enclosed with this report.

I.2.2. Is the list of activities referred to in appendix I to the Convention fully transposed into your country’s national legislation?

(a) Yes. There is no difference, all activities referred to in appendix I are covered by national legislation

Please elaborate, as needed:

(b) No. Activities covered by national legislation differ slightly from the activities referred to in appendix I

Please explain: National legislation includes all of the activities listed in Appendix A in addition to other activities. A detailed list of “differences” is provided in Annex B, which accompanies this document.

- (c) No, there are gaps remaining in the list of activities in the national legislation

Please explain:

I.2.3. Indicate the competent authority/authorities responsible for carrying out the environmental impact assessment procedure in your country. Please specify:

- (a) There are different authorities at the national, regional and local levels
- (b) Authorities are different for domestic and transboundary procedures
- (c) Authorities are the same for domestic and transboundary procedures

Please name the authority/authorities and its/their responsibilities: The EIA procedure is primarily implemented through the statutory planning process as set out in the Planning and Development Act 2000, as amended and the Planning and Development Regulations 2001, as amended. In this regard, the authorities that are chiefly responsible for transboundary EIA procedures and conducting the required consultations are the relevant (local) planning authorities (31 in total) and An Bord Pleanála, which is the national body responsible for deciding planning appeals, planning applications for Strategic Infrastructure project proposals, applications for Substitute Consent, and for developments requiring EIA which are proposed to be carried out by local or State authorities. The Minister for Housing Local Government and Heritage must be notified of any development application likely to have a significant impact on the environment of a transboundary State. As per the legislation listed in Annex A, other Departments and State Authorities such as the Department of Environment, Climate and Communications, the Department of Agriculture, Food and the Marine, and the Environmental Protection Agency (EPA) are also competent authorities for EIA procedures at national level for specific sectoral consent processes which may also require EIA, such as integrated pollution control licences and industrial emission licences (as licenced by the EPA) with reference to the European Communities (Environmental Impact Assessment) Regulations, 1989, as amended.

I.2.4. Is there an authority in your country that collects information on all the transboundary environmental impact assessment cases? If so, please name it:

- (a) No
- (b) Yes

If “Yes”, please clarify the type of information collected and provide access link, if available:

Your comments: Information on transboundary EIA cases is managed by the relevant authorities for each case, for example, with the requirement in Article 124(1) of the Planning and Development Act 2000, to notify the Minister of Housing, Local Government and Heritage of planning applications, “where, in its opinion, the proposed development to which the application relates would be likely to have significant effects on the environment in a transboundary State”.

In May 2017, the Department of Housing, Local Government and Heritage established the national EIA Portal which provides online/digital access to the public on all planning applications for development consent, and some other sectoral applications, that are subject to an EIA and provides a link to the relevant information and documents associated with the application held online by the relevant competent authorities. The EIA Portal facilitates an early and effective opportunity for any person to participate in the decision making procedures where EIA is required, including in transboundary EIA cases.

Article 3 Notification

I.3.1. Article 3 (1) states that: “The Party of origin shall notify any Party which it considers may be an affected Party as early as possible and no later than when informing its own public about that proposed activity.” As a Party of origin, when do you notify the affected Parties?

- (a) During scoping
- (b) When the environmental impact assessment report has been prepared and the domestic procedure has started
- (c) After finishing the domestic procedure
- (d) At other times (please specify):

Your comments: The notification procedure generally starts when the EIAR has been prepared; however, in some cases, the affected party may be invited to comment during scoping phase. The affected Party is also notified when the development decision is made by the relevant authority.

I.3.2. Please define the format of notification used in your country:

- (a) Notification is carried out using the tabular form in table 1 of decision I/4 on the format for notification adopted by the Meeting of the Parties at its first session (ECE/MP.EIA/2, annex IV, appendix, para. 32 and table 1)
- (b) Notification is carried out in the form of a letter containing all information detailed in decision I/4 of the Meeting of the Parties (ECE/MP.EIA/2, annex IV, appendix, para. 34)
- (c) A combination of (a) and (b) above (ECE/MP.EIA/2, annex IV, appendix, para. 35)
- (d) The country has its own format (please attach a copy)
- (e) No official format used

Your comments: The format for notification of transboundary states is substantially similar to the format decided at the meeting of the Parties cited above.

I.3.3. As a Party of origin, what information do you include in the notification (art. 3 (2))? Please specify (more than one options may apply):

- (a) Information on the proposed activity, including any available information on its possible transboundary impact (art. 3 (2) (a))
- (b) The nature of the possible decision (art. 3 (2) (b))
- (c) An indication of a reasonable time within which a response is required, taking into account the nature of the proposed activity (art. 3 (2) (c))
- (d) Relevant information regarding the environmental impact assessment procedure, including an indication of the time schedule for transmittal of comments (art. 3 (5) (a))
- (e) Relevant information on the proposed activity and its possible significant adverse transboundary impact (art. 3 (5) (b))
- (f) Other (please specify):

Your comments: The information provided in such a notification is detailed in Irish legislation (such as Article 126(2) of the Planning and Development Regulations 2001, as amended), and includes: “a description of the project, together with any available information on its possible transboundary impact; an indication that the project is subject to an environmental impact assessment procedure; an indication that the planning authority or the Board, as the case may be, is the competent authority responsible for taking the decision; an indication of the types of decision the planning authority or the Board, as the case may be, may make in relation to the application, appeal, application for approval or application for strategic infrastructure; an indication that a decision will not be taken on the proposed development until the views, if any, of the transboundary State have been received or the consultations are otherwise completed, and; and indication that where the transboundary State indicates that it wishes to take part in the decision-making procedures in relation to the proposed development, a copy of the EIAR will be sent to it.”

I.3.4. Article 3 (3) requires that “The affected Party shall respond to the Party of origin within the time specified in the notification”. As a Party of origin, please indicate whether your country’s legislative or regulatory framework defines a time frame for response to the notification by the affected Party/ies and, if so, how:

- (a) No, the time frame is not specified in the national legislation
- (b) Yes, the time frame is specified in the national legislation

Please indicate the time frame or its range as per your national legislation, in weeks/days:

- (c) The time frame is determined and agreed with each affected Party on a case-by-case basis

Please indicate the average time frame set on a case-by-case basis, in weeks/days:

Your comments:

I.3.5. Please specify the consequences should a notified affected Party not comply with the time frame for responding to the notification, as required by article 3 (3), and elaborate on the possibilities of extending the deadline:

No specific time frame is provided for in Irish legislation. However, Irish legislation (for example Article 126 of the Planning and Development Regulations 2001, as amended) provides that no decision may be made on an application until the response of the transboundary state has been received or the consultations are otherwise complete. A transboundary State may be asked to respond within a particular timeframe for administrative purposes; however, if the transboundary State is not in a position to respond within that timeframe, the relevant consent authority must provide any extension required.

I.3.6. Article 3 (8) states that: “The concerned Parties shall ensure that the public of the affected Party in the areas likely to be affected be informed of ... the proposed activity”. Which of the following approaches do you use to achieve this goal? Please specify:

- (a) Informing the point of contact for the Convention listed on the Convention website²
- (b) Other (please specify): X

Your comments: Irish legislation (for example, Article 126 of the Planning and Development Regulations 2001, as amended) requires that when a competent authority receives an application, or information concerning an application for a proposed development which is likely to have significant effects on the environment in a transboundary State, the competent authorities are required to notify both the relevant Minister and the relevant authority in the transboundary State simultaneously. The authorities in Ireland are required

² List available at <https://unece.org/environment-policy/environmental-assessment/points-contact-regarding-notification>.

to provide information relevant to the development proposal, including the EIAR, to the transboundary State which is the affected Party. It is a matter for the authorities in the affected Party to inform members of its public that they may make submissions or observations directly to the authorities in the Party of Origin.

If the competent authority in Ireland receives significant further information or revised plans, or a revised EIAR from the applicant, it is legally obliged to notify the relevant authorities in the transboundary State. Irish legislation, such as the Planning and Development Regulations 2001, as amended, provides that in such cases, the competent authority is required to notify any person who made a submission/observation in relation to the application that they have 4 weeks from the date of the notice to make a further submission/observation; this includes any member of the public in the affected Party who made a submission/observation directly to the competent authority in the party of Origin. The affected Party may also be given an administrative deadline within which to respond to the Party of Origin with any comments/observations on the further information but as previously mentioned, this deadline will be extended should the affected party need more time to respond.

I.3.7. On what basis does your country, as an affected Party, make the decision to participate (or not) in the transboundary environmental impact assessment procedure? Please specify:

- (a) Notified ministry/authority of the affected Party responsible for environmental impact assessment decides on its own based on the documentation provided by the Party of origin
- (b) Based on the opinion of the competent authorities of the affected Party
- (c) Based on the opinion of the competent authorities and of the public of the affected Party
- (d) Other (please specify):

Your comments: Following receipt of a notification from another Party about a project likely to have a significant effect on the environment of Ireland, the notification and any other available papers are sent to the relevant authority to enable them to decide whether they wish to participate in the transboundary EIA procedure.

I.3.8. Article 3 (5) (a) states that the Party of origin must provide affected Parties with “relevant information regarding the environmental impact assessment procedure, including an indication of the time schedule for transmittal of comments”.

How does your country, as a Party of origin, determine the time schedule referred to in article 3 (5) (a)? Please specify:

- (a) Following the rules and procedures of the Party of origin
- (b) Following the rules and procedures of the affected Party/ies
- (c) A combination of (a) and (b) above. Please specify the rules and procedures of the Party of origin and the affected Party/ies that are applied in the combination:
- (d) Other (please specify):

Your comments: Irish legislation, such as Article 126(3) of the Planning and Development Regulations 2001, as amended, requires that where the transboundary state indicates that it wishes to take part in the decision-making process, the relevant authority shall send the EIAR and any other information to the transboundary state. A decision will not be taken to permit the proposed development until the views of the transboundary state have been received or consultations are otherwise complete.

Articles 2 (6), 3 (8) and 4 (2) Public participation

I.3.9. Article 2 (6) of the Convention states that: “The Party of origin shall provide an opportunity to the public in the areas likely to be affected to participate in relevant environmental impact assessment procedures and shall ensure that the opportunity provided to the public of the affected Party is equivalent to that provided to the public of the Party of origin.”

How does your country’s environmental impact assessment legislation ensure that equivalent opportunities and rights to participate in the procedure are provided for the public of the affected Party?

- (a) As an affected Party:
- (i) Not specified in the national legislation, but it is determined and agreed with the Party of origin on a case-by-case basis at the beginning of the transboundary procedure
 - (ii) Specified in the national legislation as follows:

Your comments: See answers provided at I.3.5 and I.3.6 above (b) As a Party of origin:

- (i) Not specified in the national legislation; such equivalent opportunities and rights cannot be ensured in the procedure

Please explain:

- (ii) Not specified in the national legislation, but it is determined and agreed with the affected Party on a case-by-case basis at the beginning of the transboundary procedure
- (iii) Specified in the national legislation as follows:

Your comments: This should be a matter for the affected Party.

I.3.10. How can the public of your country, as an affected Party, express its opinion on the environmental impact assessment documentation of the proposed project further to articles 2 (6), 3 (8) and 4 (2)? Please specify (more than one option may apply):

- (a) By sending comments in writing directly to the competent authority of the Party of origin, or to the ministry responsible for environmental affairs/focal point in the affected Party
- (b) In a territory of the affected Party: by taking part in consultations [on the basis of the environmental impact assessment documentation] or a special event, where the opinions of the public are officially registered
- (c) In a territory of the Party of origin: by taking part in consultations or a special event, where the opinions of the public are officially registered
- (d) Other (please specify):

Your comments:

There is no legal obligation in our national legislation to hold a public hearing in cases where Ireland is the affected party, however, Article 132 of the Planning and Development Regulations 2001, as amended, does require the relevant Irish authority to consult widely with the public by publishing a notice in an approved newspaper informing the public of the information received in relation to the proposed development in a transboundary State, which is likely to have significant effects on the environment in Ireland. The authority’s newspaper notice invites written submissions or observations from the public in relation to the proposed development, to be made to the relevant competent authority.

The authority’s newspaper notice shall state:

- (i) that information has been received in relation to the proposed development in such transboundary State,
- (ii) the URL, if known, to the application for development consent on the website of the relevant competent authority in the transboundary State concerned,
- (iii) the nature of the information received,
- (iv) that the proposed development is subject to an environmental impact assessment procedure and has potential transboundary effects,
- (v) the nature of possible decision, or where there is one, the draft decision,
- (vi) that the information is available for inspection, or purchase at a fee not exceeding the reasonable cost of making a copy, during office hours at the offices of the authority, and
- (vii) that a submission or observation in relation to the proposed development may be made in writing to the authority within a specified period (being a period not earlier than 30 days after the publication of the notice).

On receipt of any submissions or observations from members of the public or from statutory consultees who are notified directly by the Irish authority, the Irish authority shall consult with the Minister and then enter into consultations with the State concerned in relation to the potential transboundary effects of the proposed development. The authority will also publish a notice in an approved newspaper informing of any decision to grant or refuse such development in a transboundary State.

The process legislated for in Article 132 of the Planning and Development Regulations 2001, as amended, is currently being amended so that members of the public that wish to make a submission do so directly to the competent authority in the transboundary State.

Article 4

Preparation of the environmental impact assessment documentation

I.4.1. How do you determine the relevant information to be included in the environmental impact assessment documentation in accordance with article 4 (1)? Please specify (more than one option may apply):

- (a) By using appendix II
- (b) By using the comments received from the authorities concerned during the scoping phase, if applicable
- (c) By using the comments received from members of the public during the scoping phase, if applicable
- (d) As determined by the proponent based on its own expertise
- (e) By using other means (please specify): yes

Your comments: The requirements in relation to EIA, including content of an EIAR, are set out in national legislation, for example Part 10 and in Schedule 6 of the Planning and Development Regulations 2001 (as amended).

I.4.2. Article 4 states that: “The environmental impact assessment documentation... shall contain, as a minimum, the information described in appendix II.” What quality control measures are provided for in the legislative or administrative framework of your country, as a Party of origin, to ensure sufficient quality of the documentation? Please specify:

- (a) The competent authority checks the information provided and ensures that it includes all information required under appendix II as a minimum before making it available for comments
- (b) By using quality checklists based on the requirements listed in appendix II
- (c) There are no specific procedures or mechanisms
- (d) Other (please specify):

Your comments:

I.4.3. How do you determine “reasonable alternatives” in accordance with appendix II (b)?

- (a) On a case-by-case basis
- (b) As defined in the national legislation (please specify):
- (c) Other (please specify): yes

Your comments: “Reasonable alternatives” is not defined in Irish legislation; however, Irish legislation, such as Paragraph 1(d) of Schedule 6 of the Planning and Development Regulations 2001, as amended, does set out the information to be contained in an EIAR and this includes the requirement for a description of the reasonable alternatives studied by the person or persons who prepared the EIAR, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the proposed development on the environment.

Article 5

Consultations on the basis of the environmental impact assessment documentation

I.5. Does your national environmental impact assessment legislation provide for organizing transboundary consultations between the authorities of the Parties concerned?

- (a) Yes, it is obligatory
- (b) Yes, it is optional (please specify):
- (c) No, it does not have any provision on that

Your comments: The affected Party may be invited to comment and participate. If a development application is likely to have significant environmental impact on a transboundary State, consultations must be held.

Article 6

Final decision

I.6.1. Please select from the list below the information that your country, as a Party of origin, in accordance with its legislative and administrative framework, should take due account of in the final decision on the proposed activity (art. 6 (1)):

- (a) Conclusions of the environmental impact assessment documentation
- (b) Comments received in accordance with articles 3 (8) and 4 (2)
- (c) Outcome of the consultations as referred to in article 5
- (d) Outcomes of the transboundary consultations
- (e) Comments received from the affected Party/ies
- (f) Mitigation measures
- (g) Other (please specify):

Your comments:

I.6.2. Are the comments of the authorities and the public of the affected Party and the outcome of the consultations taken into consideration in the same way as the comments from the authorities and the public in your country (art. 6 (1))?:

- (a) Yes
- (b) No Please explain the differences

Your comments: See articles 126(2)(e) and 130 of the Planning and Development Regulations 2001 as amended. The Planning and Development Regulations 2001 to 2022 can be viewed at <https://www.gov.ie/en/publication/c0ac2-planning-legislation-primary-legislation/>

I.6.3. According to article 6 (3): If additional information on the significant transboundary impact of a proposed activity, which was not available at the time a decision was made with respect to that activity and which could have materially affected the decision, becomes available to a concerned Party before work on that activity commences, that Party shall immediately inform the other concerned Party or Parties. If one of the concerned Parties so requests, consultations shall be held as to whether the decision needs to be revised.

Is there any regulation in your country that ensures the implementation of the provisions of article 6 (3)?

- (a) No
- (b) Yes, by legislation (please specify):
- (c) Yes, by other means (please specify):

Your comments: Additional information may be taken into account in relation to a decision already taken on a development consent for strategic infrastructure development (SID) (ie large scale infrastructure development as defined by Section 2 of the Planning and Development Act 2000, as amended) which is being carried out or is intended to be carried out, in accordance with Section 146B of the Planning and Development Act 2000, as amended, which allows an application to An Bord Pleanála to alter the terms of a SID consent or permission, which may require EIA of the proposed alteration pursuant to section 146C.

I.6.4. Do all activities listed in appendix I (items 1–22) and major changes thereto require a final decision to authorize or undertake such an activity in your legislative framework?

- (a) Yes
- (b) No

If “No”, please list those activities listed in appendix I or major changes thereto for which there is no requirement for a final decision. Please explain why those activities/major changes do not require a final decision in your national legislation.

Article 7

Post-project analysis

I.7. Is there any provision regarding implementation of post-project analysis in your national environmental impact assessment legislation (art. 7 (1))?

- (a) No
- (b) Yes Please specify:

Your comments: There is no specific legal requirement for post-project analysis in Irish planning law although it is not unusual for a grant of planning permission to be conditional on post-project monitoring; indeed, monitoring of the effectiveness of mitigation measures put forward in the EIAR, both by the competent authorities and the developer, is an integral part of the EIA process. Such monitoring would normally be associated with thresholds which, if exceeded require that a clearly defined set of actions are implemented.

Article 8

Bilateral and multilateral cooperation

I.8.1. According to article 8: “The Parties may continue existing or enter into new bilateral or multilateral agreements or other arrangements in order to implement their obligations under this Convention and under any of its protocols to which they are a Party. Such agreements or other arrangements may be based on the elements listed in appendix VI.”

Has your country established any bilateral or multilateral agreements to implement the Convention?

- (a) No
- (b) Yes Please specify with which countries:

If publicly available, please also attach the texts of any such bilateral and multilateral agreements, preferably in English, French or Russian.

Your comments:

I.8.2. What issues do these bilateral agreements cover (appendix VI)? (More than one option may apply):

- (a) Specific conditions of the subregion concerned
- (b) Institutional, administrative and other arrangements
- (c) Harmonization of the Parties’ policies and measures
- (d) Developing, improving and/or harmonizing methods for the identification, measurement, prediction and assessment of impacts, and for post-project analysis
- (e) Developing and/or improving methods and programmes for the collection, analysis, storage and timely dissemination of comparable data regarding environmental quality in order to provide input into the environmental impact assessment
- (f) Establishment of threshold levels and more specified criteria for defining the significance of transboundary impacts related to the location, nature or size of proposed activities
- (g) Undertaking joint environmental impact assessment, development of joint monitoring programmes, intercalibration of monitoring devices and harmonization of methodologies
- (h) Other, please specify:

Your comments: No bilateral or multilateral agreements are in place.

Complimentary information related to legal implementation of the Convention

I.9.1. Please describe how the steps required under your national legislation for carrying out a transboundary procedure are interlinked with a domestic environmental impact assessment procedure in the lead-up to the final decision.

In doing so, please also describe differences between the steps (i.e. screening/scoping, preparation of the environmental impact assessment, consultation, public participation, making a final decision) of a domestic procedure and a transboundary procedure, if any:

Alternatively, this question can be answered or supported by a schematic flow chart showing these steps.

Your comments: National legislation, such as Article 126 of the Planning and Development Regulations, 2001 (as amended), requires the relevant competent authority to notify the affected Party at the same time as it notifies the Minister for Housing, Planning and Local Government, which is “as soon as may be” after receipt of an application for such a development. The competent authority must also notify all the other parties to the development application process that it has entered into consultations with an affected Party (transboundary State). Where further information is sought by the competent authority and submitted by the development applicant, a copy of that further information will be sent to all other parties to the application, including any affected Party (transboundary State). A competent authority may request the further information having regard to the views of a transboundary State, as per Article 128 of the Planning and Development Regulations, 2001 (as amended).

Where a requirement to furnish further information, having regard to the views of a transboundary State, is not complied with, the development application shall be declared to be withdrawn after the period of 6 months from the date of the requirement for further information has elapsed. Where the authority considers that any submission, observation, document, particulars or other information submitted to it in response to a request for further information, contains significant additional data on the effects on the environment of the proposed development, it shall send a copy of the relevant data to the Minister and to any relevant transboundary State.

As per Article 130 of the Planning and Development Regulations, 2001 (as amended), an authority shall not decide to grant or refuse permission in respect of a planning application until after the views, if any, of any relevant transboundary State have been received in response to transboundary consultations, or the consultations are otherwise completed.

As per Article 131 of the Planning and Development Regulations, 2001 (as amended), a notice of the decision on the development application shall be sent to the Minister for Housing Planning and Local Government and to any affected Party (transboundary State).

I.9.2. Does your country have special provisions or informal arrangements concerning transboundary environmental impact assessment procedures for joint cross-border projects, the construction of nuclear power plants and/or their lifetime extension?

<i>Joint cross-border projects</i>	<i>Construction of nuclear power plants</i>	<i>Lifetime extension of nuclear power plants</i>
(a) No <input checked="" type="checkbox"/>	(a) No <input checked="" type="checkbox"/>	(a) No <input checked="" type="checkbox"/>
(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>
(i) Special provisions:	(i) Special provisions:	(i) Special provisions:
(ii) Informal arrangements:	(ii) Informal arrangements: X	(ii) Informal arrangements:
Please explain:	Please explain: With regard to proposed nuclear power plants (NPPs), all planning authorities in Ireland accept submissions made from the public in their own functional areas in response to a single	Please explain:

<i>Joint cross-border projects</i>	<i>Construction of nuclear power plants</i>	<i>Lifetime extension of nuclear power plants</i>
	<p>coordinating public advertisement by the Department of Housing, Planning and Local Government confirming that there are likely to be significant environmental effects on Ireland from a proposed NPP development in a Party of Origin. Following consultation with the Minister, the planning authorities are requested to forward submissions that they have received to the competent authority in the Party of Origin.</p>	

Your comments:

Part two

Practical application during the period 2019–2021³

Please report on your country's practical experiences in applying the Convention (not your country's procedures, as described in part one), whether as a Party of origin or as an affected Party. The focus here is on identifying good practices as well as difficulties Parties have encountered in applying the Convention in practice. The goal is to enable Parties to share solutions. Please therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improving its application.

Part two also focuses on general issues arising from the sixth review of implementation of the Convention (2016–2018)^a and issues that have been identified as priorities by Parties in the 2021–2023 workplan.^b It also addresses the goals of the Long-term strategy and the action plan for the Convention and the Protocol that requires that the reviews of implementation be adapted, in particular, “to maximize their usefulness as a source of information, highlight progress achieved, draw attention to areas that need improvement, disseminate best practice ...”.^c

^a United Nations publication, ECE/MP.EIA/32.

^b ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/2–IV/2.

^c ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/3–IV/3, annex, item II.A.9.

A. List of transboundary procedures initiated during the period 2019–2021

II.1. Please indicate, in the table provided in annex I to the present questionnaire, the total number of transboundary environmental impact assessment procedures initiated in the reporting period in relation to activities listed in appendix I to the Convention and in which your country was a Party of origin or affected Party. Please also indicate the number and types of transboundary procedures related to activities not listed in appendix I that your country implemented in the reporting period as a Party of origin or as an affected Party, if any.

Your comments: A detailed list has been provided in Annex C excel the spreadsheet which accompanies this questionnaire.

II.2. Please list transboundary environmental impact assessment procedures referred to in question II.1. above using table 1 of annex II to the present questionnaire for procedures in which your country was a Party of origin and table (2) for procedures in which your country was an affected Party.

Your comments: A detailed list has been provided in Annex D excel the spreadsheet which accompanies this questionnaire.

II.3. According to paragraph 10 of decision VIII/5 of the Meeting of the Parties the project lists referred to in question II.2 above and annex II to the present questionnaire are to be posted on the ECE website. Should your country object to this, however, please indicate “Yes” and explain, as relevant:

(a) Yes (my country has an objection the compilation and posting of this information)

³ Part II of this questionnaire is not considered to be a reporting obligation according to the Convention. Parties are encouraged to share examples of good practice, subject to their capabilities and the availability of relevant data.

Please explain:

- (b) No (no objection)

Your comments:

B. Experience in the transboundary environmental impact assessment procedure during the period 2019–2021

Please share with other Parties your country's experience of using the Convention in practice. When responding to each of the questions below, please provide one or two practical examples and/or describe your country's general experience. You might also include examples of lessons learned in order to help others.

II.4. Please provide at least one example of the implementation of the Convention for an activity listed in appendix I to the Convention based on the template contained in annex III to the present questionnaire.

Your comments: A detailed answer has been provided in Annex III which accompanies this questionnaire.

II.5. The Convention does not refer to the translation of environmental impact assessment documentation and to other language-related issues as important prerequisites for providing effective public participation of potentially affected Parties in a transboundary procedure. As an affected Party, please specify in which language(s) the environmental impact assessment documentation is made available for your own public to ensure effective public participation in transboundary procedures. (You may select several options, as needed):

- (a) In the official language(s) of the country Please specify:
- (b) Information in English is acceptable
- (c) Please list other languages that fulfil the requirements of effective public participation in your country, if applicable:

Your comments

II.6. What difficulties has your country experienced with regard to translation of environmental impact assessment documentation and interpretation during consultation meetings with authorities, or during events organized within the public participation procedure, if applicable, and what solutions has it found?

- (a) Experience with regard to translation of the environmental impact assessment documentation
- (i) As a Party of origin:
 - (ii) As an affected Party:
- (b) Experience with regard to interpretation during consultation meetings with authorities
- (i) As a Party of origin:
 - (ii) As an affected Party:
- (c) Experience with regard to interpretation during public participation-related events
- (i) As a Party of origin:
 - (ii) As an affected Party:

Your comments: Ireland has not experienced any difficulties. On a couple of occasions, we received invitations to participate in TEIA with screening statements provided in a language other than English. Our unit has a budget for translation services so when the cost of translation is not unreasonable, we manage this ourselves.

II.7. Which Party covers the cost of translation of environmental impact assessment documentation?

- (a) As a Party of origin:
- (b) As an affected Party: Yes
- (c) Other, please specify:

Your comments: To date, the requirement to engage translation services has been limited. However, when Ireland was required to engage translation services we met the cost, which was never unreasonable. If a situation arises that would require a significant volume of environmental documentation to be translated at significant cost, Ireland would engage the Party of Origin with a view to receiving documentation in English or having the cost of translation met.

II.8. What parts of the environmental impact assessment documentation does your country usually translate/require to be translated?

- (a) As a Party of origin:
- (b) As an affected Party: Yes

Your comments: EIA screening statements

II.9. Has the issue of translation been addressed in bilateral agreements between your country and other Parties?

- (a) Yes Please explain how it has been addressed:
- (b) No

Your comments:

II.10. As a Party of origin, how and in which language do you usually provide environmental impact assessment documentation to the affected Party?

- (a) A full set of environmental impact assessment documentation is translated into English
- (b) Selected parts of the documentation are translated in English
Please specify which parts are translated and how they are selected
- (c) A full set of environmental impact assessment documentation is translated into the affected Party's language
- (d) Selected parts of environmental impact assessment documentation are translated into the language of the affected Party
Please specify which parts are translated and how they are selected
- (e) Other (please specify)

Your comments:

II. 11. Please indicate how the costs of interpretation during the events organized within the public participation procedure are covered:

- (a) By the developer: Please explain:
- (b) By the Party of origin alone: Please explain
- (c) By the affected Party alone: Please explain
- (d) Shared by both Parties concerned upon an agreement:

(e) Please provide details of related agreements and considerations based on which the Parties concerned agreed to share the translation costs:

(f) Other (please specify) X

Your comments: There has been no need for interpretation to date.

II.12. Please describe any difficulties that your country has encountered during public participation procedures and consultations referred to in articles 2 (5), 3 (8), 4 (2) and 5 with regard to issues not covered above; for example, with regard to time frames for the duration of public participation and the consultation period and the need for additional information:

- (a) As a Party of origin:
 - (i) Experience with public participation
 - (ii) Experience with consultations under article 5
- (b) As an affected Party:
 - (i) Experience with public participation
 - (ii) Experience with consultations under article 5

Your Comments: None to report.

II.13. Has your country carried out post-project analyses in the period 2019–2021:

- (a) No
- (b) Yes

Please list the projects for which post-project analysis was carried out, describing challenges and lessons learned, if any:

Your comments:

II.14. Does your country have successful examples of organizing transboundary environmental impact assessment procedures in any of the categories of projects indicated below?

<i>Joint cross-border projects</i>	<i>Construction of nuclear power plants</i>	<i>Lifetime extension of nuclear power plants</i>
(a) No <input type="checkbox"/>	(a) No <input type="checkbox"/>	(a) No <input type="checkbox"/>
(b) Yes <input checked="" type="checkbox"/>	(b) Yes <input checked="" type="checkbox"/>	(b) Yes <input checked="" type="checkbox"/>

If “Yes”, please describe what, in your opinion, made it successful, for example, means of cooperation (for example, contact points, joint bodies, bilateral agreements, special and common provisions, etc.), institutional arrangements, and how practical matters are dealt with (for example, translation, interpretation, transmission of documents, etc.):

- (a) For joint cross-border projects: The contact point with Northern Ireland regarding large infrastructure project, A5 Western Transport Corridor, is the Department for Infrastructure (NI).
- (b) For construction of nuclear power plants: As an affected party engaged in transboundary consultation with the UK regarding the construction of the following nuclear power plants: Hinkley Point C, Wylfa Newydd and Sizewell C.
- (c) For lifetime extension of nuclear power plants: The contact point as an affected party engaged in transboundary consultation with Belgium regarding the lifetime extension of nuclear power plants, Doel 1 and 2.

You may also wish to describe the example using annex III to the present questionnaire.

Your comments: The examples provided above are when Ireland participated as an affected Party

II.15. Please provide examples from your experience during the reporting period (either complete cases or elements such as notification, consultation and public participation) for the information of Parties that, in your view, constitute good practice or lessons learned on various topics:

Your comments: None available

II.16. The Long-term strategy and the action plan for the Convention and the Protocol⁴ recommends enhancing the use of the networks of national focal points for administrative matters⁵ and points of contact for notification⁶ published on the website of the Convention. Does your country use the networks for contacting the affected Parties' authorities?

- (a) Yes, my country makes use of the networks
- (b) My country is aware of the networks but is not using them

Please explain why, and describe the alternative ways used by your country to identify which competent authority of the affected Party to contact:

Your comments:

II.17. Please specify what quality control measures your country, as a Party of origin, applies to ensure sufficient quality of environmental impact assessment documentation and, in particular, that said documentation contains, as a minimum, information described in appendix II to the Convention.

Your comments: See answers provided to questions I.1.1, I.4.1., I.4.2, I.1.5. and I.1.6

II.18. Please specify whether alternatives are assessed in the environmental impact assessment documentation and, if so, how. If possible, provide at least one example of such assessment, either as a Party of origin or as an affected Party, or both

Your comments: Yes they are, please see answer to question I.4.3.

II.19. Please specify whether the following issues are considered in the environmental impact assessment documentation:

- (a) Biodiversity Yes
- (b) Climate change Yes
- (c) Circular economy Not explicitly
- (d) Sustainable Development Goal implementation Not explicitly
- (e) Smart and sustainable cities Not explicitly
- (f) Sustainable infrastructure Not explicitly
- (g) Renewables Not explicitly
- (h) Other issues not listed above (please specify):

Please provide at least one example of how one of the above-mentioned issues is addressed in the environmental impact assessment documentation:

⁴ ECE/MP.EIA/2020/3–ECE/MP.EIA/SEA/2020/3, item II.A.7.

⁵ List of Focal Points for Administrative Matters, available at <https://unece.org/environment-policy/environmental-assessment/focal-points-administrative-matters>.

⁶ List of Points of Contact regarding Notification, available at <https://unece.org/environment-policy/environmental-assessment/points-contact-regarding-notification>.

You may wish to use the template in annex III to the questionnaire.

Your comments:

II.20. Please indicate whether, in your country's practice, cumulative impacts are taken into account during the assessment under the Convention and, if so, how:

- (a) No
(b) Yes

If "Yes", please provide at least one example of how cumulative impacts are considered.

Please see chapter 6 in the Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment that issued to planning authorities in Aug 2018 and chapter 3.7 and 4 in the Guidelines on the information to be contained in Environmental Impact Assessment Reports (EIAR) published in May 2022. Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment can be viewed at <https://www.gov.ie/en/publication/53aee9-guidelines-for-planning-authorities-and-an-bord-pleanala-on-carrying/>

Guidelines on the information to be contained in Environmental Impact Assessment Reports (EIAR) can be viewed at https://www.epa.ie/publications/monitoring--assessment/assessment/EIAR_Guidelines_2022_Web.pdf

Your comments:

II.21. Please indicate whether health issues are taken into account in your country during the assessment under the Convention in practice and, if so, how:

- (a) No
(b) Yes

If "Yes", please provide at least one example of how health issues are taken into account

Your comments: Please refer to the answer to questions I.1.1. which lists the elements of the environment that must be considered during an EIA. Population and Human Health is one of them.

II.22. Please indicate whether environmental impact assessments implemented in your country can be considered to have contributed to the implementation of Sustainable Development Goals and their specific targets:

- (a) No, there is no evidence that environmental impact assessments contribute to the attainment of Sustainable Development Goals
(b) Yes, (certain) environmental impact assessments significantly contributed to the attainment of Sustainable Development Goals
(c) Yes, (certain) environmental impact assessments contributed somewhat to the attainment of Sustainable Development Goals

If "Yes", please list the most relevant Sustainable Development Goals⁷ (and their targets) and provide [at least one] example[s] of how environmental impact assessment has contributed

⁷ In 2017, the Meetings of the Parties acknowledged that the Convention and, in particular the Protocol, contribute to the achievement of the Sustainable Development Goals (ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1, decision VII/7–III/6, Minsk Declaration, para. 7). Selected examples of Sustainable Development Goal targets that strategic environmental assessment could help to implement include the following (see informal document to the fifth meeting of the Working Group (Geneva, 11–15 April 2016):

- (a) Sustainable Development Goal 3 – Ensure healthy lives and promote well-being for all at all ages (targets 3.9 and 3.d);

to their attainment. SDG 13 on Climate Change – the requirement to assess impacts on climate is part of the EIA process. For example, the consideration of green house gas emissions and impacts relevant to climate adaptation

Your comments:

C. Experience in using the available guidance documents in 2019–2021

II.23. Have you used in practice the following guidance, adopted by the Meeting of the Parties and available online?

<i>Title of guidance document</i>	<i>Use of guidance</i>	<i>Your comments and/or suggestions for improving or supplementing the guidance</i>
Guidance on Public Participation in Environmental Impact Assessment in a Transboundary Context (ECE/MP.EIA/7)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	

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- (b) Sustainable Development Goal 6 – Ensure availability and sustainable management of water and sanitation for all (targets 6.3, 6.5–6.6 and 6.a–6.b);
 - (c) Sustainable Development Goal 7 – Ensure access to affordable, reliable, sustainable and modern energy for all (targets 7.2 and 7.a);
 - (d) Sustainable Development Goal 8 – Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all (target 8.4);
 - (e) Sustainable Development Goal 9 – Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation (targets 9.1 and 9.4);
 - (f) Sustainable Development Goal 11 – Make cities and human settlements inclusive, safe, resilient and sustainable (targets 11.3–11.4, 11.6 and 11.a–11.b);
 - (g) Sustainable Development Goal 12 – Ensure sustainable consumption and production patterns (targets 12.2 and 12.4–12.5);
 - (h) Sustainable Development Goal 13 – Take urgent action to combat climate change and its impacts (targets 13.1–13.3);
 - (i) Sustainable Development Goal 14 – Conserve and sustainably use the oceans, seas and marine resources for sustainable development (target 14.1);
 - (j) Sustainable Development Goal 15 – Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss (targets 15.1 and 15.4);
 - (k) Sustainable Development Goal 16 – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels (targets 16.6–16.7 and 16.10);
 - (l) Sustainable Development Goal 17 – Strengthen the means of implementation and revitalize the global partnership for sustainable development (targets 17.13 and 17.16–17.17).
- For more details, see ECE/MP.EIA/WG.2/2016/5/INF.16, available at http://staging2.unece.org/net4all.ch/fileadmin/DAM/env/eia/documents/WG2.5_April2016/Informal_document_16_ece.mp.eia.wg.2.2016.INF.16__Sustainable_Development_Goal_Mapping.pdf.

<i>Title of guidance document</i>	<i>Use of guidance</i>	<i>Your comments and/or suggestions for improving or supplementing the guidance</i>
Guidance on subregional cooperation (ECE/MP.EIA/6, annex V, appendix)	I use it <input type="checkbox"/> I do not use it <input checked="" type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	
Guidance on the Practical Application of the Espoo Convention (ECE/MP.EIA/8)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	
Guidance on the applicability of the Convention to the lifetime extension of nuclear power plants (ECE/MP.EIA/2020/9)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	
Good Practice Recommendations on the Application of the Convention to Nuclear Energy-related Activities (ECE/MP.EIA/24)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the document <input type="checkbox"/> (ii) The document is not relevant <input type="checkbox"/> (iii) The document is outdated and needs revision <input type="checkbox"/>	

<i>Title of guidance document</i>	<i>Use of guidance</i>	<i>Your comments and/or suggestions for improving or supplementing the guidance</i>
Revised Guidelines on Environmental Impact Assessment in a Transboundary Context for Central Asian Countries (ECE/MP.EIA/28)	I use it <input type="checkbox"/> I do not use it <input checked="" type="checkbox"/> Please specify: (i) I am not aware of the document <input type="checkbox"/> (ii) The document is not relevant <input type="checkbox"/> (iii) The document is outdated and needs revision <input type="checkbox"/>	
Guidance on Notification according to the Espoo Convention (ECE/MP.EIA/12)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	

Your comments:

D. Clarity of the Convention

II.24. Has your country had difficulties implementing the procedures defined in the Convention, either as a Party of origin or as an affected Party, because of a lack of clarity of the provisions?

No

Yes Please indicate which provisions and how they are unclear:

Your comments:

E. Contributions to the funding of the workplans

II.25. Please indicate whether the information regarding contributions to the trust fund was already provided by your country in the responses to the questionnaire concerning the Protocol and covered both the Convention and the Protocol:

(i) Yes

(ii) No

If “No”, please provide the information regarding the contributions to the trust fund below.

Your comments: Ireland pays an annual voluntary contribution to the trust fund of \$6,500

II.26. Through paragraph 4 of decision VII/4–III/4, applicable for the period 2017–2020, the Meetings of the Parties to the Convention and the Protocol jointly “urge[d] all Parties to contribute to ensuring sustainable funding of activities and an equitable and proportionate sharing of the financial burden among the Parties”.⁸ For the period 2021–2023, by paragraph 1 of decision VIII/1–IV/1, regarding funding of the adopted workplans, the Meeting of the Parties decided that “all the Parties have a duty to contribute to the sharing of the costs that are not covered by the United Nations regular budget”.⁹

(a) Please indicate whether your Government contributed to the funding of the workplans during the reporting period, indicating also the currency and the amount of the contribution:

(i) My Government made a multi-year contribution for the period 2017–2020

Please indicate when the contribution was provided (year), amount and currency: Ireland makes a contribution of \$6,500 annually, which began in 2020. An additional one of payment of \$3,250 was also made in 2020 towards the cost of the unscheduled MoP convened in March 2019.

(ii) Individual contribution in 2019

Yes Amount and currency:

No Please explain the reason:

(iii) Individual contribution in 2020:

Yes Amount and currency: USD 9,750

No Please explain the reason:

(iv) Individual contribution in 2021:

Yes Amount and currency: USD 6,500

No Please explain the reason:

(v) Please indicate any plans of your country to contribute for the period 2021–2023

Ireland’s delegation has committed at the last sessions of the Meetings of the Parties to the Convention and its Protocol, (Vilnius (online), 8–11 December 2020), to financially support the implementation of the treaties’ workplan for the intersessional period 2021–2023 adopted by the Parties, pleading an annual contribution of USD 6,500.

(b) Did your country make in-kind contributions in the reporting period?

Yes Please describe how: By participating in two ‘ad-hoc’ working groups. One to progress the draft guidance on assessing health impacts in SEA and the other one progressing the long-term strategy and work plan for this intersessional period.

No Please explain the reason

F. Suggested improvements to the report

II.27. Please provide further suggestions (preferably specific drafting proposals including wording suggestions) for how this report could be improved.

⁸ ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1.

⁹ ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1.

Annex I

Please refer to Annex C excel the spreadsheet that accompanies this questionnaire

Number of transboundary procedures initiated by your country, as a Party of origin, and participated in, as an affected Party, in the reporting period

<i>Activities listed in appendix I to the Convention</i>	<i>No. of procedures as a PoO^a</i>	<i>No. of procedures as an AP^b</i>
1. Crude oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 metric tons or more of coal or bituminous shale per day.		
2. (a) Thermal power stations and other combustion installations with a heat output of 300 megawatts or more;		
2. (b) Nuclear power stations and other nuclear reactors, including the dismantling or decommissioning of such power stations or reactors 1/ (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).		
3. (a) Installations for the reprocessing of irradiated nuclear fuel;		
3. (b) Installations designed: <ul style="list-style-type: none">- For the production or enrichment of nuclear fuel;- For the processing of irradiated nuclear fuel or high-level radioactive waste;- For the final disposal of irradiated nuclear fuel;- Solely for the final disposal of radioactive waste; or- Solely for the storage (planned for more than 10 years) of irradiated nuclear fuels or radioactive waste in a different site than the production site.		
4. Major installations for the initial smelting of cast iron and steel and for the production of non-ferrous metals.		

<i>Activities listed in appendix I to the Convention</i>	<i>No. of procedures as a PoO^a</i>	<i>No. of procedures as an AP^b</i>
5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20,000 metric tons finished product; for friction material, with an annual production of more than 50 metric tons finished product; and for other asbestos utilization of more than 200 metric tons per year.		
6. Integrated chemical installations.		
7. (a) Construction of motorways, express roads 2/ and lines for long-distance railway traffic and of airports 3/ with a basic runway length of 2,100 metres or more;		
7. (b) Construction of a new road of four or more lanes, or realignment and/or widening of an existing road of two lanes or less so as to provide four or more lanes, where such new road, or realigned and/or widened section of road, would be 10 km or more in a continuous length.		
8. Large-diameter pipelines for the transport of oil, gas or chemicals.		
9. Trading ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1,350 metric tons.		
10.(a) Waste-disposal installations for the incineration, chemical treatment or landfill of toxic and dangerous wastes;		
10.(b) Waste-disposal installations for the incineration or chemical treatment of non-hazardous waste with a capacity exceeding 100 metric tons per day.		
11. Large dams and reservoirs.		
12. Groundwater abstraction activities or artificial groundwater recharge schemes where the annual volume of water to be abstracted or recharged amounts to 10 million cubic metres or more.		
13. Pulp, paper and board manufacturing of 200 air-dried metric tons or more per day.		
14. Major quarries, mining, on-site extraction and processing of metal ores or coal.		
15. Offshore hydrocarbon production. Extraction of petroleum and natural gas for commercial purposes where the amount extracted exceeds 500 metric tons/day in the case of petroleum and 500 000 cubic metres/day in the case of gas.		
16. Major storage facilities for petroleum, petrochemical and chemical products.		
17. Deforestation of large areas.		

	<i>No. of procedures as a PoO^a</i>	<i>No. of procedures as an AP^b</i>
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Activities listed in appendix I to the Convention

- 18.(a) Works for the transfer of water resources between river basins where this transfer aims at preventing possible shortages of water and where the amount of water transferred exceeds 100 million cubic metres/year (transfers of piped drinking water are excluded);
- 18.(b) In all other cases, works for the transfer of water resources between river basins where the multi-annual average flow of the basin of abstraction exceeds 2 000 million cubic metres/year and where the amount of water transferred exceeds 5 per cent of this flow (transfers of piped drinking water are excluded).
19. Wastewater treatment plants with a capacity exceeding 150 000 population equivalent.
20. Installations for the intensive rearing of poultry or pigs with more than:
- 85 000 places for broilers;
 - 60 000 places for hens;
 - 3 000 places for production pigs (over 30 kg);
 - 900 places for sows.
21. Construction of overhead electrical power lines with a voltage of 220 kV or more and a length of more than 15 km.
22. Major installations for the harnessing of wind power for energy production (wind farms).

Activities not listed in appendix I for which your country implemented a transboundary environmental impact assessment procedure in the reporting period

^a Party of origin.

^b Affected Party.

Annex II

Please refer to Annex D excel the spreadsheet that accompanies this questionnaire

A detailed list of the transboundary procedures in which your party participated as a Party of origin (table 1) and as an affected Party (table 2) in the reporting period

Table 1

Transboundary environmental impact assessment procedures as a Party of origin

Please find below an example of expected types of answers in each column and feel free to add additional rows as needed

				<i>Please use as checkbox for referring to the progress and indicate the date, if available</i>			
<i>Project name</i>	<i>Starting date (date of the notification sent)</i>	<i>Affected Party/ Parties</i>	<i>Timing of the notification</i>	<i>Submission of the environmental report</i>	<i>Transboundary consultations between authorities concerned, if any</i>	<i>Public participation, (please also indicate the means, for example, written comments, events organized, etc.) if any</i>	<i>Final decision (date of issue, if information is available)</i>
1. For example, Project "A"	Date	Party A Party B	State of the procedure (select as appropriate) screening/scoping/reviewing the environmental impact assessment documentation: Date	Date	Date from: to:	Date from: to:	Date
...							

Table 2

Transboundary environmental impact assessment procedures as an affected Party

Please find below an example of expected types of answers in each column, and feel free to add additional rows as needed

					<i>Please use as checkbox for referring to the progress and indicate the date if available</i>			
<i>Project name</i>	<i>Starting date (When was the notification received and at which stage of the procedure?) – Date of the response to the notification</i>	<i>Party of origin</i>	<i>When were the documents on screening and scoping received, if available?</i>	<i>Comments to the environmental report (date when comments were provided)</i>	<i>Transboundary consultations between authorities concerned, if any (time frame)</i>	<i>Public participation, indicating the means: for example, written comments, events organized,) if any</i>	<i>Final decision (date when final decision was received)</i>	
1. For example, Project A	Notification received: date Response sent: date Stage of the procedure (select as appropriate) -screening -scoping -reviewing the environmental impact assessment documentation	Party A	Date	Date	Time from: to:	Yes/No Written comments: time interval Event(s) organized: date(s)	Date	

Annex III

Template to describe an example of application of a transboundary procedure in accordance with the Convention in the reporting period

Please provide at least one example of application of a transboundary environmental impact assessment procedure in accordance with the Convention in the reporting period using the template and reflecting on the priorities of the 2021–2023 workplan and the long-term strategy. Should you wish to share more examples, please copy the template, as needed.

I. GENERAL INFORMATION

Please provide the following general information about the selected example:

1. Title of the transboundary procedure:
2. Party's role in the procedure and a list and roles of other Parties involved

Party of origin: <input type="checkbox"/>	Affected Party: <input type="checkbox"/>
Affected Party/ies: (please list)	Party/ies of origin: (please list)

3. Duration and period of implementation:
4. Stage(s)/step(s) of the procedure presented in this example:
 - The entire procedure
 - Notification (art. 3):
 - Preparation of the environmental impact assessment documentation (art. 4):
 - Consultations of the basis of the environmental impact assessment documentation (art. 5 (a)–(c))
 - Final decision (art. 6):
 - Post-project analysis (art. 7, if applicable)
 - Other , please specify:

II. BACKGROUND

Please provide a short description of the activity, the context of its development and general information about the environmental impact assessment procedure

III. PROCEDURE UNDER THE CONVENTION AND ELEMENTS OF GOOD PRACTICE

Please describe, in more detail, using the subsections below, the procedural step(s) considered to represent good practice and then explain why that is.

1. **Notification** (art. 3):
2. **Preparation of the environmental impact assessment documentation** (art. 4):

In addition to the description above regarding the preparation of the environmental impact assessment documentation, please indicate the following:

- (a) What alternatives were assessed and presented in the environmental impact assessment documentation?
- (i) At what level of detail were the alternatives described?
 - (ii) What methods and/or assessment grids were used for the selection of the most reasonable alternative?
- (b) Whether the following issues were covered in the environmental impact assessment documentation and, if so, how:
- (i) Biodiversity
 - (ii) Climate change
 - (iii) Circular economy
 - (iv) Sustainable Development Goal implementation
 - (v) Smart and sustainable cities
 - (vi) Sustainable infrastructure
 - (vii) Renewables
 - (viii) Other issues not listed above:
- 3. Consultations on the basis of the environmental impact assessment documentation** (art. 5 (a)–(c)):
- 4. Final decision** (art. 6):
- 5. Post-project analysis** (art. 7, if applicable):

IV. LESSONS LEARNED AND ADVICE TO OTHER PARTIES:

1. Please indicate:

Challenges in carrying out the procedure, if any, and how they were tackled. No challenges were faced.

Lessons learned and advice to other Parties:

2. As relevant, please also refer to the contribution of the above application of environmental impact assessment procedure towards the attainment of Sustainable Development Goals¹ or climate objectives:

¹ In 2017, the Meetings of the Parties acknowledged that the Convention and in particular the Protocol contribute to the achievement of the Sustainable Development Goals (ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1, decision VII/7–III/6, Minsk Declaration, para. 7). Selected examples of Sustainable Development Goal targets that strategic environmental assessment could help to implement include the following (see informal document to the fifth meeting of the Working Group (Geneva, 11–15 April 2016)):

- (a) Sustainable Development Goal 3 – Ensure healthy lives and promote well-being for all at all ages (targets 3.9 and 3.d);
- (b) Sustainable Development Goal 6 – Ensure availability and sustainable management of water and sanitation for all (targets 6.3, 6.5–6.6 and 6.a–6.b);
- (c) Sustainable Development Goal 7 – Ensure access to affordable, reliable, sustainable and modern energy for all (targets 7.2 and 7.a);
- (d) Sustainable Development Goal 8 – Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all (target 8.4);

V. ANY OTHER INFORMATION NOT INCLUDED ABOVE THAT YOU MAY WISH TO SHARE:

ANNEX A - Legislation

- European Communities (Environmental Impact Assessment) Regulations 1989 (SI No. 349 of 1989)
- European Communities (Environmental Impact Assessment)(Amendment)Regulations 1994 (SI No. 84 of 1994)
- European Communities (Environmental Impact Assessment)(Amendment) Regulations 1999 (SI No. 93 of 1999)
- Planning and Development Act 2000 (No. 30 of 2000)
- Planning and Development Regulations 2001 (SI No. 600 of 2001)
- Planning and Development (Strategic Infrastructure) Act 2006 (No. 27 of 2006)
- European Communities (Environmental Impact Assessment) (Forestry Consent System) (Amendment) Regulations 2006 (S.I. No. 168 of 2006)
- European Communities (Environmental Impact Assessment) Amendment Regulations 2006 (SI No. 659 of 2006)
- Planning and Development Regulations 2006 (SI No. 685 of 2006)

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- (e) Sustainable Development Goal 9 – Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation (targets 9.1 and 9.4);
 - (f) Sustainable Development Goal 11 – Make cities and human settlements inclusive, safe, resilient and sustainable (targets 11.3–11.4, 11.6 and 11.a–11.b);
 - (g) Sustainable Development Goal 12 – Ensure sustainable consumption and production patterns (targets 12.2 and 12.4–12.5);
 - (h) Sustainable Development Goal 13 – Take urgent action to combat climate change and its impacts (targets 13.1–13.3);
 - (i) Sustainable Development Goal 14 – Conserve and sustainably use the oceans, seas and marine resources for sustainable development (target 14.1);
 - (j) Sustainable Development Goal 15 – Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss (targets 15.1 and 15.4);
 - (k) Sustainable Development Goal 16 – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels (targets 16.6–16.7 and 16.10);
 - (l) Sustainable Development Goal 17 – Strengthen the means of implementation and revitalize the global partnership for sustainable development (targets 17.13 and 17.16–17.17).

For more details, see ECE/MP.EIA/WG.2/2016/5/INF.16, available at http://staging2.unece.org/net4all.ch/fileadmin/DAM/env/eia/documents/WG2.5_April2016/Informal_document_16_ece.mp.eia.wg.2.2016.INF.16__Sustainable_Development_Goal_Mapping.pdf.

- European Communities (Arterial Drainage) Regulations 2009 (S.I. No. 388 of 2009)
- Planning and Development (Amendment) Act 2010 (No. 30 of 2010)
- European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011(S.I. No. 456 of 2011)
- Environment (Miscellaneous Provisions) Act 2011 (No. 20 of 2011)
- European Union (Environmental Impact Assessment of Proposed Demolition of National Monuments) Regulations 2012 (S.I. No. 249 of 2012)
- European Union (Environmental Impact Assessment) (Gas) Regulations 2012 (S.I. No. 403 of 2012)
- European Union (Environmental Impact Assessment) (Petroleum) Regulations 2012 (S.I. No. 404 of 2012)
- European Union (Environmental Impact Assessment) (Aquaculture) Regulations 2012 (S.I. No. 410 of 2012)
- European Union (Environmental Impact Assessment) (Foreshore) Regulations 2012 (S.I. No. 433 of 2012)
- European Union (Environmental Impact Assessment) (Integrated Pollution Prevention and Control) (No. 2) Regulations 2012 (SI No. 457 of 2012)
- Aquaculture Appeals (Environmental Impact Assessment) Regulations 2012 (S.I. No. 468 of 2012)
- European Union (Environmental Impact Assessment) (Arterial Drainage) Regulations 2012 (S.I. No. 469 of 2012)
- European Union (Environmental Impact Assessment of Material Alterations of Approved Road Developments Consequent on Ministerial Directions in Respect of Discoveries of National Monuments) Regulations 2013 (S.I. No. 114 of 2013)
- European Union (Environmental Impact Assessment) (Petroleum Exploration) Regulations 2013 (S.I. No. 134 of 2013)
- European Communities (Environmental Impact Assessment) (Agriculture) (Amendment) Regulations 2013(S.I. No. 142 of 2013)
- European Union (Environmental Impact Assessment and Habitats) (Section 181 of the Planning and Development Act 2000) Regulations 2013 (SI No. 403 of 2013)
- European Union (Environmental Impact Assessment) (Waste) Regulations 2013 (SI No. 505 of 2013)
- Planning and Development (Amendment) (No.2) Regulations 2013 (SI No. 520 of 2013)
- European Union (Environmental Impact Assessment) (Planning and Development) Regulations 2014 (SI No. 543 of 2014)
- European Union (Environmental Impact Assessment and Appropriate Assessment) (Foreshore) Regulations 2014 (SI No. 544 of 2014)
- European Union (Environmental Impact Assessment and Habitats) Regulations 2015 (SI No. 301 of 2015)
- European Union (Environmental Impact Assessment and Habitats)(No. 2) Regulations 2015 (SI No. 320 of 2015)
- Planning and Development (Housing) and Residential Tenancies Act 2016
- European Communities (Environmental Impact Assessment)(Agriculture)(Amendment) Regulations 2017 (SI 407/2017)
- Aquaculture (Licence Application)(Amendment) Regulations 2018 (SI No. 240 of 2018)
- Forestry Regulations 2017 (SI No. 191 of 2017)
- Forestry (Amendment) Regulations (SI No. 498 of 2017)
- European Union (Planning and Development)(Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018)
- European Union (Environmental Impact Assessment)(Planning and Development) (No. 2) Regulations 2018 (SI No. 404 of 2018)
- European Union (Planning And Development)(Environmental Impact Assessment) (Amendment) Regulations 2018
- European Union (Environmental Impact Assessment)(Peat Extraction) Regulations 2019 (SI No. 4/2019)

- European Union (Railway Orders) (Environmental Impact Assessment) (Amendment) Regulations 2021 (SI No. 743/2021)
- European Union (Roads Act 1933) (Environmental Impact Assessment) (Amendment) Regulations 2019 (S.I. No. 279/2019)
- European Union (Environmental Impact Assessment) (Arterial Drainage) Regulations 2019 (SI No. 472/2019)
- European Union (Foreshore Act 1933) Environmental Impact Assessment (Amendment) Regulations 2021 (SI No. 145/2021)
- Waste Water Discharge (Authorisation) (SI No. 214/2020)
- European Union (Environmental Impact Assessment) (National Monuments Act 1930) (Section 14D) (Amendment) Regulations 2020 (SI No. 528/2020)
- Environmental Protection Agency (Integrated Pollution Control) (Licensing) Regulations 2020 (SI No. 189/2020)
- Environmental Protection Agency (Industrial Emissions) (Licensing) (Amendment) Regulations 2020 (SI No. 190/2020)
- European Union (Environmental Impact Assessment) (Environmental Protection Agency Act 1992) (Amendment) Regulations 2020 (SI No. 191/2020)
- European Union (Waste Management) (Environmental Impact Assessment) Regulations 2020 (SI No. 130/2020)
- European Union (Gas Act 1976) (Environmental Impact Assessment) (Regulations 2021 (SI 174/2021)
- European Union (Environmental Impact Assessment) (Minerals Development Act 1940) (Amendment) Regulations 2018 (SI No. 384/2018)
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ANNEX B – Differences between Appendix I of the Convention and Irish Legislation

<p>Appendix I of the Convention</p>	<p>Schedule 5 - Part 1, of the Planning and Development Regulations 2001, as amended & First Schedule – Part 1 of the European Communities (Environmental Impact Assessment) Regulations, 1989, as amended</p>
<p>3. Installations solely designed for the production or enrichment of nuclear fuels, for the reprocessing of irradiated nuclear fuels or for the storage, disposal and processing of radioactive waste.</p>	<p>3. (a) All installations for the reprocessing of irradiated nuclear fuel. (b) Installations designed –</p>

	<ul style="list-style-type: none"> - for the production or enrichment of nuclear fuel, - for the processing of irradiated nuclear fuel or high level radioactive waste, - for the final disposal of irradiated fuel, - solely for the final disposal of radioactive waste, - solely for the storage (planned for more than 10 years) of irradiated fuels or radioactive waste in a different site than the production site.
6. Integrated chemical installations.	<p>6. Integrated chemical installations, i.e. those installations for the manufacture on an industrial scale of substances using chemical conversion processes, in which several units are juxtaposed and are functionally linked to one another and which are -</p> <ul style="list-style-type: none"> (a) for the production of basic organic chemicals, (b) for the production of basic inorganic chemicals, (c) for the production of phosphorous, nitrogen or potassium based fertilisers (simple or compound fertilisers), (d) for the production of basic plant health products and of biocides, (e) for the production of basic pharmaceutical products using a chemical or biological process, (f) for the production of explosives.
8. Large-diameter oil and gas pipelines.	<p>16. Pipelines with a diameter of more than 800mm and a length of more than 40km:</p> <ul style="list-style-type: none"> — for the transport of gas, oil, chemicals, and, — for the transport of carbon dioxide (CO₂) streams for the purposes of geological storage, including associated booster stations.
10. Waste disposal installations for the incineration, chemical treatment or landfill of toxic and dangerous wastes.	<p>9. Waste disposal installations for the incineration, chemical treatment as defined in Annex IIA to Directive 75/442/EEC under heading D9, or landfill of hazardous waste (i.e. waste to which Directive 91/689/EEC4 applies).</p> <p>10. Waste disposal installations for the incineration or chemical treatment as defined in Annex IIA to Directive 75/442/EEC under heading D9, of non-hazardous waste with a capacity exceeding 100 tonnes per day.</p>
11. Large dams and reservoirs.	<p>15. Dams and other installations designed for the holding back or permanent storage of water, where a new or additional amount of water held back or stored exceeds 10 million cubic metres.</p>
14. Major mining, on-site extraction and processing of metal ores or coal.	<p>19. Quarries and open-cast mining where the surface of the site exceeds 25 hectares.</p>
15. Offshore hydrocarbon production.	<p>14. Extraction of petroleum and natural gas for commercial purposes where the amount</p>

	extracted exceeds 500 tonnes per day in the case of petroleum and 500,000 cubic metres per day in the case of gas.
16. Major storage facilities for petroleum, petrochemical and chemical products.	21. Installations for storage of petroleum, petrochemical, or chemical products with a capacity of 200,000 tonnes or more.