



21 June, 2021

Submission on SEA Scoping on Minerals Policy.

By email to GSPD@decc.gov.ie :

Geoscience Policy Division, Department of the Environment, Climate and Communications, 29-31 Adelaide Road, Dublin, D02 X285

Dear Sir or Madam;

We commend the Public Consultation on the scoping report for the Environmental Assessment of the emerging Draft Policy Statement on Mineral Exploration and Mining in Ireland from your Department. It is regrettable that no notification of this was not received by our organisation. We confine ourselves to 5 considerations under Scoping Question # 3.

Scoping Question # 3 Do you have any comments regarding the draft SEA Objectives presented?

We would make the following comments:

[1] Uranium Ban

2.1 The Ministerial ban on uranium exploration since 2007 should be confirmed.

[2] Excluded Areas

2.1 The State Mining and Prospecting Licence Areas (May 2021) is the only reference to 'excluded areas'. These appear to be both minimal and inchoate. These areas should be brought in line and a presumed prohibition on mining should be expanded to include Natura 2000 Areas and areas defined as important/to be protected by the Geological Survey Office.

'[**Protection of County Geological Sites:** County Geological Sites should be included in County Development Plans and County Heritage Plans. Due regard should be given to sites of geological importance at all stages of planning, particularly in the development of quarries, wind farms and roads.'

<https://www.gsi.ie/en-ie/programmes-and-projects/geoheritage/activities/protection-of-county-geological-sites/Pages/default.aspx>

Reference 7.1 Objective 2: ‘Preserve, protect, maintain and where appropriate restore the terrestrial, aquatic and soil biodiversity, particularly EU designated sites and protected species...’

[3] Landscape

The National Landscape Strategy 2015 – 2025 [which underwent the screening process for Strategic Environmental Assessment and Appropriate Assessment and extensive public consultation] provides the national vision that should be incorporated in the SEA Objectives: ‘1.1 LANDSCAPE STRATEGY VISION: Our Vision. Our landscape reflects and embodies our cultural values and our shared natural heritage and contributes to the well-being of our society, environment and economy. We have an obligation to ourselves and to future generations to promote its sustainable protection, management and planning.’

3.3 states that ‘landscape features outside designated sites which are of major importance for wild flora and fauna as per Article 10 of the Habitats Directive and disturbance and deterioration of bird habitats as per article 4(4) of the Birds Directive) and these will be addressed in the SEA.’

But this Objectives does not accord with the National Landscape Strategy 2015 – 2025: ‘The Strategy recognises the importance of landscape protection and its interconnectivity with biodiversity and climate change.’

In this regard, Table 6-1: Baseline Data Sources and Extent of Assessment, Potential Extent of Assessment based on Data Sources, states ‘Limited spatial data from existing sources’ and ‘There are no national datasets available for landscape; some information available at a county level but not consistent across all of the counties.’

A requirement to incorporate the areas of protected landscapes in each County Development Plan [regardless if all are ‘consistent’] should form part of the SEA process to accord with the National Landscape Strategy’s requirement that ‘In keeping with the principle of subsidiarity, which is embedded in Article 4 of the European Landscape Convention, implementation of many of the key actions of the National Landscape Strategy 2015 - 2025 will be at the most local levels possible while ensuring guidance and procedures are co-ordinated at national level.’

<https://assets.gov.ie/95852/388d4758-50c1-42bd-9adc-0bdfe1291765.pdf>

Reference: [7.1 Draft SEA Objectives, Objective 9, Protect landscape character and visual amenity]

[4] Failure to identify areas of inadequate data

Table 6-1: Baseline Data Sources and Extent of Assessment

Potential Extent of Assessment based on Data Sources fails to identify areas where data appears to be inadequate. Data must not only be available but must be so in real time. Weaknesses in data may undermine the objective ‘to test the potential environmental impacts of the Policy Statement’.

Reference: 7.1 Draft SEA Objectives

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[5] Failure to consider after use of mining areas

Sectoral and/ or Temporal Prioritisation

Table 7.2. While 2.2 Regulation states 'any applicant for a SMF must hold a valid PL first and provide a detailed, costed closure plan as part of their application', there is no Objective to ensure such rehabilitation and to address the possibility, for example, of the use of exhausted mines to receive the demolition waste for the 6,000+ buildings identified for demolition in the mica mines construction issue or other opportunities.

Reference: 7.1 Draft SEA Objectives

In conclusion, we are grateful for the opportunity to comment at this stage and would be pleased to receive updates as the process continues.

Yours, etc.

Tony Lowes