



ACCC plan of action,
Department of the Environment, Climate and Communications
Government Buildings, Newtown Road
Wexford
Y35 AP90

By email to: environmentpolicy@decc.gov.ie

10th May 2022

Dear Sir/Madam

RE: Public consultation on the draft Aarhus Convention Compliance Committee (ACCC) Plan of Action

Wind Energy Ireland (WEI) welcomes the opportunity to engage with the Department of Environment, Climate & Communications (DECC) on the draft Aarhus Convention Compliance Committee (ACCC) Plan of Action

WEI is the representative body for the Irish wind industry, working to promote wind energy as an essential, economical, and environmentally friendly part of the country's low-carbon energy future. We are Ireland's largest renewable energy organisation with more than 170 members who have come together to plan, build, operate and support the development of the country's chief renewable energy resource.

Ireland has just over 300 operational wind farms¹, which represents an investment of over €7 billion, and in 2021 provided 30 per cent of Ireland's electricity. The wind energy industry also supports more than 5,000 jobs and annually pays more than €48 million in commercial rates to local authorities.² We are a country with enormous renewable energy resources and are world leaders at incorporating onshore wind into the national grid.

We believe in the three fundamental rights to sound environmental governance of access to information, access to public participation and access to justice, however this must not be at

¹ It should be noted that WEI, like the transmission system operator EirGrid, bases these figures on the number of individual wind farm connections. Some larger wind farms may have multiple connections.

² Independent research carried out by Eamonn Halpin & Co. LTD – 'Report on the rateable liabilities of wind farms' on behalf of WEI (2022).

unnecessary delay and expense to involved parties and at the expense of Ireland overcoming its current climate and energy crisis.

With regards to the current consultation, we would like to make the following observations.

- **Recommendation: Para. 4 (a)(i) decision VII/8i**

The implications of these amendments to the Planning and Development Act for the development of secondary legislation under Maritime Area Planning Act 2021 are unclear. It will be important to ensure that there is a consistent approach to the requirements for AA and EIA for extensions to licenses for offshore site investigations.

- **Recommendation: Para. 4 (b)(i) decision VII/8i** We would support appropriate and clearly stated timelines for dealing with 'Access to Information on the Environment' requests. These timelines should be sufficient to allow for appropriate delivery by the relevant agency/department

- **Recommendation: Para. 4 (b)(ii) decision VII/8i**

We would recommend that that AIE information is adequately described so it is clear from the outset what it includes and ideally should not require court proceedings to determine. While the DECC website and AIE form provide an adequate description of requirements; it is recommended that a more user-friendly and accessible guidance document should be which clearly outlines what AIE data is, what it is not, when it can be requested, how it can be requested, what the processes are to follow, the timelines etc.

- **Recommendation: Para. 4 (c)(i) decision VII/8i**

With regards to access to information which may inform a cost benefit analysis of an environmental decision; the amended legislation should ensure that data which is commercially sensitive to a specific project should not be eligible for release under AIE.

- **Recommendation: Para. 4 (c)(ii) decision VII/8i**

We would support appropriate and clearly stated timelines for dealing with appeals to decisions made on 'Access to Information on the Environment'. These timelines should be sufficient so that they can be appropriately managed by the agency/department in reviewing the appeal.

Yours sincerely,

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Senior Policy Analyst



W: www.windenergyireland.com