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Re: Public Consultation on Ireland's Draft ORE Future Framework Policy Statement

### **Consultation process and ORE delivery**

We appreciate the Minister's reference to environmental considerations in his forward *'Environmental considerations and protections are also of the utmost priority during the development of ORE in Ireland's maritime area, as an essential requirement of the DMAP process.'* It means taking the time to listen to, and learn from, the local knowledge of coastal areas. This is the standard we have set for ourselves, and we will maintain that standard for future DMAPs to support development, protect biodiversity and enhance communities.' However, it has been noted previously in the South Coast DMAP process and the OREDP II, that environmental considerations were not taken into account from the beginning. Areas to be considered for ORE developments were designated on factors such as cost effectiveness and access to the grid. Environmental factors shouldn't be left till further down the line before they are considered when designating DMAPs. This shows that they are secondary considerations in the process and therefore not considered as important as other priorities. For example the geographical area of the South Coast DMAP proposal encompasses (or runs the border of) several EU protected areas (Special Protected Areas (SPAs) under the Birds Directive and Special Areas of Conservation (SACs) under the Habitats Directives) including the Saltee Islands SPA, Old Head of Kinsale SPA, Sovereign Islands SPA, Ballycotton Bay SPA, Ballymacoda Bay SPA, Dungarvan Harbour SPA, Keeragh Islands SPA, Saltee Islands SAC and Hook Head SAC to name a few. We hope that these issues will be addressed to coincide with the Minister's forward.

### **Key priorities**

The list of key priorities is not exhaustive and we would appreciate the opportunity to discuss issues further with the relevant authorities.

Under the sections describing environmental considerations we note the use of the phrase 'ecosystems approach' and this is something we welcome and which should also be included within the new Marine Protected Area (MPA) bill. It is vital that all aspects of an ecosystem are looked at when considering placement of ORE developments (as well as Marine Protected

Areas) as the knock-on effects from disrupting the ecosystem services (such as carbon storing and food provision) provided by certain habitats and species can be devastating, not just at a local level but at a much broader national and international level. There is only one reference to the upcoming MPA bill and Offshore Renewable Energy infrastructure and MPAs must be worked on in parallel and include potential areas for future MPA designations. Enacting strong MPA legislation without delay is important for the future of potential ORE area assessments (for environmental and economical reasons).

We also appreciate the acknowledgement of cumulative impacts and the need to assess these. However, the precautionary approach to planning has not been mentioned within the document. There is a lack of much needed data on Ireland's marine environment and while this has been acknowledged within the report, it doesn't state that a precautionary approach will be undertaken in the absence of these data. Data from Northern Ireland and the UK must also be taken into account to ensure that all cumulative impacts are considered. The report states *'The integration of high-quality evidence and data into these processes will create conditions that bring investment certainty and strong competition to the Irish ORE sector while elucidating the impact of ORE policies on the environment and on wider society.'* Ensuring investment certainty for ORE developments is important but should not be the primary reason for data collection over the environmental considerations. It should be stated that potentially damaging developments should not occur in data deficient areas in alignment with the precautionary principle.

On page 11 it states *'Phase Two aims to procure the remainder of Ireland's 5 GW capacity target by 2030 through further competitive ORESS auctions, with all future offshore wind developments to be planned and located within marine zones designated as suitable for offshore wind development, known as Designated Maritime Area Plans, or DMAPs.'* The IWT would like to reiterate that environmental considerations were not taken into account sufficiently during the Southcoast DMAP designation process and so large areas of the DMAP are not suitable for offshore wind development.

The report must ensure that cost competitiveness doesn't come at the environment's expense. It also notes that the State will be taking an active role in the plan led approach to ensure that a financial return is established to the state and local communities through ORE. Ensuring the correct placement of ORE developments is vital to achieve this. If structures are placed in areas sensitive to the marine environment then the financial strains faced in the future will far outweigh any initial costs of placing developments in environmentally appropriate areas. Marine ecosystems are vital in the fight against climate change. Ocean sediments on the seabed store huge amounts of historical carbon which could be released into the atmosphere if they are disturbed having a negative impact in reducing carbon outputs. Sandbanks and other habitats are necessary for coastal protection and with the increase in extreme weather events, these habitats will be more vital than ever in protecting coastal areas.

For other key priorities such as technology and supply chain development and industrial alignment, environmental considerations should also be mentioned within these sections. There will be far greater economic concerns across all sectors in the future if environmental considerations are not at the forefront of every aspect of ORE placement.

The IWT supports a plan led rather than developer led approach to planning and to ensure that this is environmentally sustainable, existing laws such as the EU Birds and Habitats Directive and future legislation like the national MPA bill must not be overlooked.

### **Data collection and the precautionary principle**

On page 25 there is reference to the role industry will hold in the plan led approach to ORE. Government recognises the crucial role that industry holds, and will continue to hold, in the

future of plan-led ORE development. 'Ongoing industry participation will involve intensive consultation across a range of topics. Feedback is encouraged regarding practical considerations for DMAP delineation, price competitiveness, promoting technological innovation, and aiding in data collection for site selection.' While industry plays an important role we do not believe that they should have a crucial role in the collection of environmental data as they have vested interests. Environmental data collected from NGO's with scientists and researchers who specialise in the marine environments and the species which live there should be prioritised along with data from academic institutions and state agencies such as NPWS and Inland Fisheries Ireland. It also states that Ireland is committed to scaling up the collection of high quality marine data to support the DMAP process and environmental assessments, however there has been no funding made available for researchers and scientists in the NGO sector.

Regional datasets (including datasets from Northern Ireland) are necessary to allow the cumulative impacts and whole ecosystem and population impacts to be assessed. It is important to look at the entire maritime area but also important to note that there are vast differences across the area and more regional datasets should be taken into consideration at this early stage. In the OREDP II several datasets were dismissed and not used with reasons being 'Not a reason to prevent an area from being developed (impacts can be largely mitigated)'. There was no evidence to suggest that the effects could be mitigated. No elasmobranch data was considered during the OREDP II process even though there are around 71 species of these vulnerable fish found in Irish waters. Four datasets on elasmobranchs were provided which hit the criteria and yet were still dismissed. On the IUCN Red List, it is listed that 1,199 elasmobranch species (1) are listed as critically endangered, endangered or vulnerable which was analysed by the IUCN Shark Specialist Group (2). With these alarming figures, it would seem appropriate to take into consideration any elasmobranch data that are available for Irish waters. As previously mentioned, the precautionary approach should be upheld and if an area is data deficient, business as usual should not occur until we have a full understanding of the possible environmental risks to the area.

Full AA and SEA assessment should be undertaken at every stage and these should include the ecosystem approach. AA's use criteria from the EU Birds and Habitats Directives which typically look at influences on specific habitats and species and do not take the whole site approach. An ecosystem based approach must be undertaken when assessing environmental risks and we hope that this will also be encompassed in the new MPA legislation. Action 11 within the AA states that EirGrid have conducted an SEA and AA in regards to their implementation plan and we believe that secondary SEAs and AAs should be undertaken.

It states that there will be appropriate resourcing aligned across Government departments and state agencies to ensure all Government bodies in relevant marine and ORE disciplines are properly resourced. We welcome this and hope to see an all of Government approach to the roll out of ORE taking into account all relevant legislation. We also welcome further provisions to ensure that the NGO sector is sufficiently funded and resourced to effectively take part in any consultations, data collection and environmental assessments.

1 <https://www.iucnssg.org/news/new-global-study-finds-unprecedented-shark-and-ray-extinction-risk#:~:text=In%20this%20new%20global%20analysis,Endangered%2C%20Endangered%2C%20or%20Vulnerable>.

2 <https://www.iucnssg.org/>