



Response by Energia/Vårgrønn Partnership to DECC Consultation

South Coast DMAP



14 June 2024

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1. Introduction

Energia/Vårgrønn welcomes the opportunity to respond to this important consultation. We have addressed the four consultation questions in Section 3 and included additional general comments in Section 4.

2. Consultation Questions

- a) Do you agree with the four maritime areas identified for future offshore wind development in the draft SC-DMAP? If not, why?
- b) Do you agree that the draft SC-DMAP policy objectives and governance approach, including for environmental protection, will support and guide its sustainable and coherent implementation?
- c) Do you agree that the draft SC-DMAP includes sufficient provisions for co-existence between offshore renewable energy and other maritime activities?
- d) Do you agree that the plan-led framework set out in the draft SC-DMAP will effectively support and drive economic and employment opportunities, including opportunities along the south coast?

3. Response to Consultation Questions

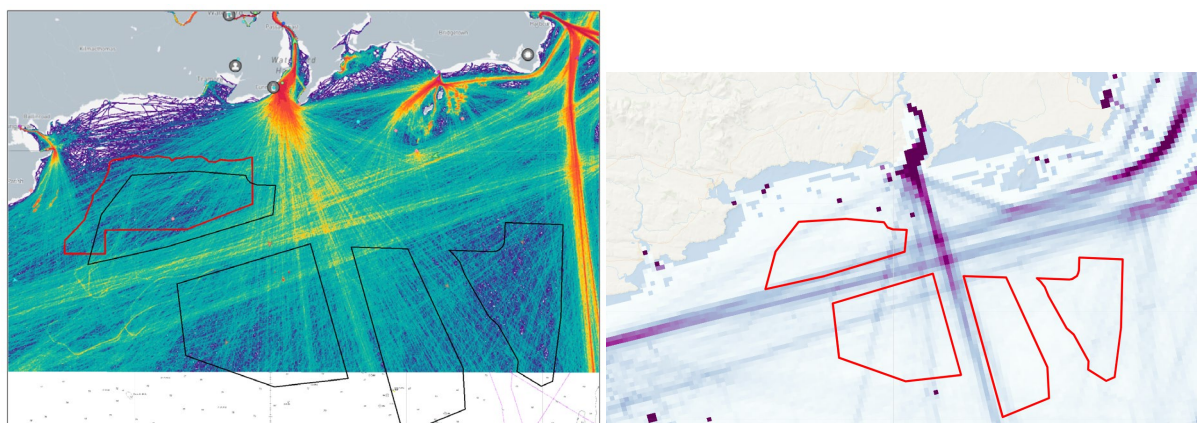
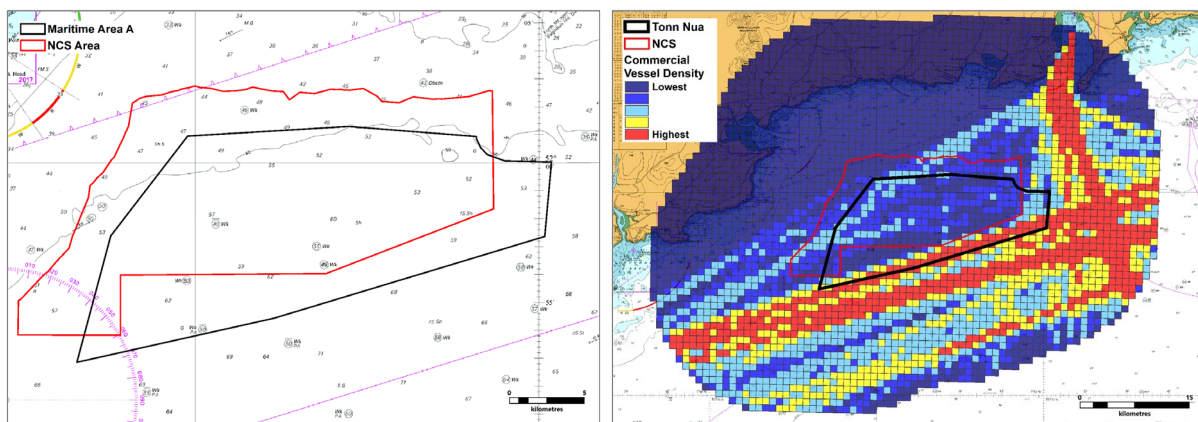
3.1 DO YOU AGREE WITH THE FOUR MARITIME AREAS IDENTIFIED FOR FUTURE OFFSHORE WIND DEVELOPMENT IN THE DRAFT SC-DMAP? IF NOT, WHY?

Energia/Vårgrønn have a number of concerns in relation to the four Maritime Areas identified in the SC-DMAP.

- The Maritime Area Identification Report makes a recommendation that DECC commissions a shipping and navigation study for the SC-DMAP proposal area. It is extremely concerning that this study was not carried out during the Draft SC-DMAP process given the safety risks that can be associated with ORE and navigation. The Crown Estate, in the identification of the Celtic Sea floating sites consulted with navigation experts from the Maritime and Coastguard Agency (MCA), Trinity House and Chamber of Shipping and as a result avoided key navigational routes. In the absence of carrying out a study. had DECC, at a minimum carried out similar consultations with local Harbour Masters, the Marine Survey Office and Commissioner of Irish Lights, Energia/Vårgrønn are of the view that the consultation would have resulted in a different boundary for Maritime Area A. It is noted in the Draft Environmental Data Log that only the highest vessel intensity range scored a 5 (constraint preclude development)), had consultation being carried out, it is likely that this would have extended to lower density ranges too. This is based on our experience of the site and consultations and studies completed to date.
- Energia/Vårgrønn, with our expert navigation consultants Anatec, carried out detailed analyses of the site coupled with extensive engagements with the Harbour Masters in Dunmore East and the Port of Waterford, the Commissioner of Irish Lights and the Marine Survey Office in relation to the development of the North Celtic Sea (NCS) site.

Maritime Area A overlaps with 65% of the NCS site. The portion of Maritime Area A that extends to the east of the NCS site and overlaps the navigational channel into and out of Waterford Estuary was originally included in the NCS site. Our studies and engagements resulted in the removal of the portion of the NCS site that overlapped the navigation channel due to the navigational risk associated with narrowing the navigational channel and squeezing the traffic towards the treacherous waters off Hook head. In addition, the southern boundary of the NCS site was selected specifically to avoid the east-west traffic coming from the TSS off Carnsore Point. The following maps all evidence the overlap of Maritime Area A with areas of high navigational safety risk from a variety of sources (Anatec-sourced AIS data, EMODnet vessel density maps and Marine Traffic density mapping).

- As the NCS project factored in these navigational safety risks in the final determination of the project site, the ORESS 2.1 winner will likely do the same. If this area is factored into a bid (and subsequently becomes unavailable) this will have a direct impact on the viability of the bid price as the areas is shallower and therefore more economically advantageous. Additionally, Given the fact that the ORESS 2.1 winner must apply for a MAC for the full site, the cost associated with the high risk navigational areas amounts to over €1.5m per annum. While we are in favour of the Maritime Areas being sufficiently large to allow for project level spatial refinement, they should not include areas where it is very clear that turbines would not be viable. The cumulative impact on navigation from Maritime Areas A – D should be understood and agreed with all relevant Harbour Masters, the MSO and CIL in advance of enacting the DMAP to ensure that there are no insurmountable constraints / challenges at the project level.



Energia/Vårgrønn recommend that Maritime Area 1 is adjusted to take account of this navigational risk.

- Aviation appears to have been given minimal consideration in the selection of the Maritime Areas. Some constraint is noted from aviation radar but is determined to not be an excluding factor for offshore wind as it is high altitude radar only. During the development of the NCS site, Energia/ Vårgrønn commissioned a Special Aeronautical Study. The conclusion of this study was that an offshore wind farm at the NCS (Maritime Area A) site could have a safety impact on flight operations at Waterford Airport if the recommended mitigation measures are not taken. Prior to the DMAP being enacted, it is imperative that the IAA, Air Nav Ireland and Waterford Airport carry out their own aeronautical study to fully understand and agreed on the mitigation measures that are required to ensure that there are no insurmountable constraints / challenges at the project level.
- The rationale for the application of a 2km buffer around the Seas off Wexford SPA is required. Further detail on this point can be found in the WEI response.
- Clarity is required on the lack of seabird data used for the identification of maritime areas. It appears that only Important Bird Areas from the OBSERVE Data was used and not the individual species sightings and density distribution data. This is in stark contrast to the quantity of marine mammal layers used (32 vs 2).
- Energia/Vårgrønn would echo WEI's request that DECC assures itself of the robustness of all assigned environmental and technical scorings and associated justifications prior to the adoption of the final South Coast DMAP. Further detail on this point can be found in the WEI response.
- The area stated in the SC-DMAP and associated documents for Maritime Area A is 312.6km². This is also the area quoted in the attribute table for the shapefile provided by DECC. However, the area calculated by GIS software is 306km². Clarity is required on what the actual area of Maritime Area A is, as this will have a direct impact on MAC fees.

We would also like to note the following in relation to the Maritime Areas:

- In the roll out of Sites B, C and D consideration should be given to the possibility that a non-sequential roll out of sites may be preferable given the varied technical constraints across the sites and the alternative offtake mechanisms that may apply. Site B is the deepest of the three future sites and with all else being equal, the shallower sites would facilitate quicker deployment. Clarity on the planned timelines for B, C and D plus a roadmap would be hugely beneficial.
- It is also important to note that the site selected for the next auction after ORESS 2.1 should be the site which would have the least cumulative impact on Maritime Area A.
- Clarity is required from DECC in relation to the SC-DMAP waters that do not fall within any of the four Maritime Areas. The threshold applied (within 60% of the maximum rating) is more conservative than typically used in other jurisdictions (50% applied by TCE in the document referenced). This means there are more areas suitable for ORE development outside of the Maritime Areas identified. Clarity is required on the future status of these areas. Could those waters be identified for a future Maritime Area within the SC-DMAP (or future DMAP) or is it the intention that exclusion now means they will not support ORE in the future. This is important to understand in the context of cumulative impacts on Maritime Areas A to D.
- In this Plan Led approach the Government should clarify what the approach is with respect to wake effects on the ORESS 2.1 project from subsequent development within areas B, C and D and equally the wake effects on sites B, C and D from each other and how or where in the process this will be dealt with.

3.2 DO YOU AGREE THAT THE DRAFT SC-DMAP POLICY OBJECTIVES AND GOVERNANCE APPROACH, INCLUDING FOR ENVIRONMENTAL PROTECTION, WILL SUPPORT AND GUIDE ITS SUSTAINABLE AND COHERENT IMPLEMENTATION?

For the most part, Energia/Vårgrønn are in agreement with the Draft SC-DMAP policy objectives and Governance approach proposed. There are however a number of policy objectives that Energia/Vårgrønn have the following feedback on:

- **MA 1:** It has been noted previously, remains the position of Energia/Vårgrønn and is now widely accepted that the intervention in relation to the plan-led model for deployment of offshore wind is not compatible with the 2030 timeline for delivering 5GW of offshore wind. We note industry feedback indicates a delivery date of 2034/2035 for ORESS 2.1 following the plan led intervention. Energia/Vårgrønn's North Celtic Sea project, which had made extensive progress under the developer led regime would have been delivered by 2030. Notwithstanding this mismatch in delivery timings, we do however support the provision of a strategically managed and sustainable development of fixed offshore wind technology and expect that the lessons learned from the ORESS 2.1 process can be incorporated into future processes relating to both the SC-DMAP and the Future Framework as a whole.
- **MA 3:** While ORESS 2.1 is the auction mechanism for Maritime Area A, it is important to note that the ORESS 2.1 auction process is not consistent with industry best practice in terms of timing, level of information provided by the state and prematurity of the auction process relative to the development status of the site. This must be avoided for the role out of future development sites B, C and D if these processes seek to assure a high probability of delivery. It is noted in MA 2, that sites B, C and D may either be directly connected to the onshore transmission system or avail of alternative offtake arrangements. The process for these future sites should strive to align with industry best practice and we suggest that a model akin to the ScotWind or UK Crown Estate leasing, as the processes which have delivered the largest quantity of offshore wind and has not seen project failure, is seen as the archetypal model. These processes enable sufficient development of the project in advance of an auction process to allow the design and cost base to mature prior to committing to a subsidy level. This will directly increase likelihood of delivery and reduces the risk of excessive cost being passed on to the consumer due to necessary conservative bidding.
- **MA 4:** Given MARA's role in awarding MACs for Maritime Areas B, C and D and in determining the timing, methodology and processes to award those MACs, any developer holding a position on MARA's Board is seen as a conflict of interest.
- **MI 1:** It is Energia/Vårgrønn's view that no external works that could alter the boundary of a Maritime Area should be undertaken once a MAC has been granted. Regional Level Surveys (RLS) should therefore be carried out by the State, the results of which will inform the cumulative impact across Maritime Areas B C and D. Assessment of these impacts may result in the refinement of these Maritime Areas. MACs should only be awarded for viable areas.
- **MI 3:** The prioritisation by MARA of licence and MAC applications for either RLS or site specific site investigations is welcomed.
- **IGM 1:** The Implementaton Board which is to be established within the first 6 months following enactment of the SC-DMAP should allow for the implementation of future DMAPs and not be confined to the SC-DMAP (despite that being the initial priority). This will allow for efficiencies, consistency and for lessons learned to be applied.

- **IGM 5:** It is Energia/Vårgrønn's understanding that in other jurisdictions where the provision of data is a condition of a MAC (or equivalents) and/or development permissions, that data is provided after the project has received development consent and secured a route to market. Large volumes of data are commercially sensitive to the project and cannot be made available to the public until at least a planning permission decision (and subsequent JR period) has passed. The same approach should be applied to the availability of survey data collected in advance of the construction of the project – i.e., not to be made available until 12 months after COD. Clarity is required on the prioritisation process, as priority already applies to Phase 1 projects and other ORE enabling infrastructure (ports and grid). Will MARA have the resources to keep all three groups as top priority?
- **OEP 1:** Energia/Vårgrønn support the proposed mitigation set out in Section 9.1.2 of the SEA that until such time as ORE Guidelines are published by DHLGH, OEP 1 should include for a Guidance Note on the scope and expectations for applications for a typical offshore wind and associated infrastructure, based on current good practice, should be provided to assist developers and regulators in meeting expectations.
- **OEP 3:** Clarity on what the expectation is, how it will be judged and how it aligns with the NMPF is required. As it is currently drafted, this objective does not provide sufficient clarity to a developer who would need to cost these works into a project design and these would need to be considered at the auction stage. This objective should be reconsidered and appropriate language used to make it either a condition of development in a DMAP, or an aspirational addition.
- **MS 1:** As per the WEI response, Energia/Vårgrønn support the view that this cannot be applied to Area A, as it would create too much uncertainty to the project development process following on from auction bidding. Clarity is required as to whether this objective would specifically be relevant to Areas B-D.
- **ML 2:** It is Energia/Vårgrønn's understanding that EMF is being extensively researched in other jurisdictions within operational wind farms. In this respect, the obligation on project developers to gather data should be desk-based only.
- **UN 2:** Site specific underwater noise modelling and assessments carried out at a project level will inform the cumulative impact of concurrent noisy activities (survey / installation works). These assessments should inform the obligation to avoid concurrent activities.
- **UN 3:** Energia/Vårgrønn support the proposed recommendation set out in Section 9.1.2 of the SEA that UN 3 would benefit from a commitment to developing an evidence base, in partnership with other stakeholders, for future ORE projects in deeper waters in the medium to longer term, to future proof the plan.
- **CC 2:** This is a very broad requirement and it needs to be defined very clearly by the relevant authority before being considered. Clarity on what the expectation is, how it will be judged and how it aligns with the NMPF is required.

3.3 DO YOU AGREE THAT THE DRAFT SC-DMAP INCLUDES SUFFICIENT PROVISIONS FOR CO-EXISTENCE BETWEEN OFFSHORE RENEWABLE ENERGY AND OTHER MARITIME ACTIVITIES?

- Energia/Vårgrønn welcome the provisions on co-existence in the SC-DMAP. We would note that any co-existence provisions that would have a monetary cost must be

understood in advance of an ORESS auction so it can be factored into the bids (in cases where site is auctioned in advance of grid and consent i.e. the Tonn Nua site).

- It is further noted that, in this plan-led model, DECC's expectation for all co-existence objectives must be clearly set out and unambiguous so that developers know how the project should be designed, planned and consented and consenting authorities understand clearly the objectives when considering a consent application.
- SF 3: Reference is made to commercial fisheries that would be adversely affected by the development. What is the expectation for how adverse impacts are determined? Via EIA process of some other process? In addition, this objective, particularly the 3rd sentence is confusing. Clarity is required on what is the requirement here.
- SF 7 refers to *"impacted seafood sector members and Irish-registered fishers"* but does not define what this includes i.e. is it referring to the wider value chain (if so how is the impact expected) or non-Irish registered vessels fishing in the Irish Jurisdiction. If so, how does it see engagement taking place with non-Irish vessels or their representative organisations.
- Energia/Vårgrønn support the proposed mitigation set out in Section 9.1.2 of the SEA in relation to seafood and fisheries and co-existence recommending that accurate information on the location and nature of activities by vessels less than 12 m should be collected by DAFM or DECC in order to inform future decision making and necessary planning conditions.
- Finally, while Energia/Vårgrønn fully support co-existence with the fishing industry, the ultimately decision on whether fishing can take safely place within the boundary of a wind farm must be determined by navigational risk assessments and approved by the Marine Survey Office (MSO).

3.4 DO YOU AGREE THAT THE PLAN-LED FRAMEWORK SET OUT IN THE DRAFT SC-DMAP WILL EFFECTIVELY SUPPORT AND DRIVE ECONOMIC AND EMPLOYMENT OPPORTUNITIES, INCLUDING OPPORTUNITIES ALONG THE SOUTH COAST?

- Energia/Vårgrønn agrees and fully supports the significant economic benefits associated with the SC-DMAP and the delivery of offshore wind projects within the designated sites set out within the plan.
- There is a clear line of sight to the commercialisation, and, by association, the realisation of the economic and employment opportunities associated with Site A – Tonn Nua. The remaining sites B, C and D however are the subject of significant policy uncertainty and as such, the potential scope for economic benefit is reduced.
- To developers that do not have a Phase 1 project, the Irish offshore market currently represents a single opportunity (ORESS 2.1) market and as such, early-stage investment has been significantly curtailed. In order to revitalise this investment and to enable the nurturing of a local supply chain, policy certainty around the future development framework for the remaining sites in the SC-DMAP as well as further DMAP processes are needed in the near term.
- Given that Maritime Area A closely aligns with the North Celtic Sea Project, we envisage the following economic benefits from offshore development in that area:
 - €2bn project level investment delivering €500 million into the regional and national economy
 - Approximately 800 full-time jobs during construction

- Between 70-100 full-time jobs during operation for 25 years
 - Supply chain opportunities for local businesses
 - Unlocking of new infrastructure investment in Ireland's ports and maritime businesses
 - Potential for further development of eco-tourism
- In relation to community engagement, Energia/Vårgrønn support the proposed mitigation set out in Section 9.1.2 of the SEA in relation to Community Engagement that CE 1 would benefit from a guidance note on minimum standards for developers to ensure they provide a minimum standard of detail. Further clarity on when this plan is to be prepared and if it were part of the Planning Pack would also add clarity to the policy objective.

4. Additional Commentary

4.1 ENVIRONMENTAL ASSESSMENTS

- The exclusion of UK sites from the NIS on the basis that the UK have left the EU and the sites no longer form part of the Natura 2000 network is a serious concern. It is noted that the Oriel Offshore Wind Farm planning application submitted to ABP on 24th May 2024 did include the UK sites in their assessment citing the Bern Convention for doing so. To ensure robustness of these assessments and to properly assess the impacts on Annex II species, this omission must be rectified.
- The SEA sets out a number of proposed mitigations / recommendations in Section 9.1.2, which do not appear to have been taken forward, and there is no indication or explanation provided as to why this is the case. A rationale for why these recommendations were not adopted should be provided in the SEA.
- It is noted that the SC-DMAP area varies from the area set out in the DMAP Proposal issued in July 2023. While there is a mechanism in the MAP Act to allow for such inconsistencies, DECC must ensure that the proper process was followed.
- Neither the SEA or NIS make any reference to the Celtic Sea Floating Offshore Wind Leasing Round 5 Project Development Areas.
- Energia/Vårgrønn share WEI's concerns in relation to the fact that insufficient attention may have been afforded to the consideration of potential cumulative effects within the Draft DMAP and accompanying impact assessments, including the lack of any reference to the UK Crown Estate's ongoing Round 5 - Celtic Sea leasing process. We believe this could undermine the robustness of the plan and subsequent consenting processes.
- Energia/Vårgrønn are concerned at the very short timeframe post consultation for DECC to fully consider and address consultation feedback.

4.2 DMAP VALIDITY PERIOD

Energia/Vårgrønn support WEI's recommendation of a 10-year DMAP validity timeline. Further details on this can be found in the WEI response.

4.3 GRID

Clarity on grid development is critical to the delivery of ORE projects. While this DMAP is another step in Ireland's aim to develop the ORE industry, there is a clear lack of detail as to how, when and where state-led infrastructure (especially grid infrastructure) will be constructed. ORE developers require certainty and clarity of direction in order to plan projects in advance of auctions and avert the risk of projects being deemed unviable in the event that grid infrastructure is later developed in a way that was not anticipated.

In addition, to the above concerns surrounding grid development, this draft DMAP does not provide clarity as to the role of non-grid in the outlined areas. Government ambitions seeks to see 2GW of non-grid limited offshore wind capacity by 2030 and with these targets fast approaching now is the time to be providing clarity as to what role this DMAP can play in delivering this target.

Energia/Vårgrønn welcomes that transmission infrastructure development will be one of the aspects considered by the proposed technical working group. We reiterate the importance of industry participation and involvement in such groups as developers are best placed to advise on grid development. It will be an opportunity to proactively inform industry of the direction infrastructure development.

While the DMAP provides detail as to how Maritime Area A will be connected, there is no detail as to how Areas B, C and D will be connected to the grid. Getting the transmission system right will be critical to unlocking the potential of all four sites and we therefore seek that industry be well informed of grid developments and informed prior to the running of competitive auctions.

The need for Grid and ORE sites to be developed hand in glove cannot be overstated given the criticality of grid to any development site.