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Our ref: EPAC-0824

**27<sup>th</sup> June 2024**

**Re: Consultation on Ireland's Draft Updated National Energy and Climate Plan 2021-2030**

(Ref: IE000716CLt0007)

A Chara,

The Environmental Protection Agency (EPA) welcomes the opportunity to respond to the Consultation, issued on the 30<sup>th</sup> May 2024, on Ireland's Draft Updated National Energy and Climate Plan prepared to meet the requirements of the Governance of the Energy Union and Climate Action Regulation (Regulation (EU) 2018/1999). The EPA notes that the consultation process aims to gather the views of stakeholders and interested parties which will be taken into consideration before finalisation of the updated plan and notes the recommendations of the European Commission following their assessment of the draft plan.<sup>1</sup>

The EPA has provided the Department of Environment, Climate and Communications with information from the EPA Greenhouse Gas Inventory 2022 and Projections published in May 2024. This response reflects this information and the wider areas of the Agency's remit and expertise including:

- Climate change mitigation and reducing greenhouse gas emissions
- Climate change adaptation and resilience
- Regulatory implications
- Water quality

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<sup>1</sup> [Commission Recommendation, Assessment \(SWD\) and Factsheet of the draft updated National Energy and Climate Plan of Ireland - European Commission \(europa.eu\)](#)

- Air pollution, air quality and noise
- Strategic Environmental Assessment and public consultation process
- Innovation and research

The EPA's response<sup>2</sup> on the previous draft of the NECP (included in Appendix I), should be considered as part of this submission. The current EPA response particularly highlights key points in relation to GHG emissions projections and challenges achieving climate targets, future climate risks & adaptation, regulatory implications, water & air quality issues, and research. Appendix II includes detailed comments on corrections and clarifications.

Please also consider the following relevant EPA submissions made since March 2024:

- EPA submission on draft Climate Action Plan 2024, 16<sup>th</sup> April 2024.<sup>3</sup>
- EPA submission on the National Biomethane Strategy, 5<sup>th</sup> March 2024<sup>4</sup>

## **1. Climate change mitigation and reducing greenhouse gas emissions**

The EPA Greenhouse Gas Inventory for 2022 and Projections 2023-2050 highlight the challenges that Ireland faces in achieving the scale and pace of greenhouse gas emissions reductions required to stay within the first two carbon budgets and reduce emissions by 51% relative to 2018. Important actions include large-scale and immediate emissions reductions across the energy system, which is currently heavily dependent (86%) on fossil fuels.

Clear pathways to implementation are required to include all planned measures in future projections, and to ensure the achievement of the necessary emissions reductions, including clarification on the additional measures associated with the potential 26 Mt CO<sub>2</sub>eq unallocated savings specified in the Climate Action Plan for the 2026-2030 period.

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<sup>2</sup> [EPA submission: Public Consultation on Ireland's Draft National Energy and Climate Plan \(EPA Ref: EPAC-0424\) | Environmental Protection Agency](#)

<sup>3</sup> <https://www.epa.ie/publications/corporate/submissions--position-papers/EPA-response-CAP24-Final.pdf>

<sup>4</sup> <https://www.epa.ie/publications/corporate/submissions--position-papers/OES-EPA-Submission-on-Ireland's-Draft-National-Biomethane-Strategy-05Mar24.pdf>

The [EPA greenhouse gas inventory 2022](#)<sup>5</sup> shows that National total emissions (incl. LULUCF<sup>6</sup>) in 2022 were 64.5 Mt CO<sub>2</sub>eq, 4.5 per cent below the 67.64 Mt CO<sub>2</sub>eq in the 2018 reference year. 44.4 per cent of Ireland's Carbon Budget for 2021-2025 has been used in the first 2 years. If Ireland is to stay within the first carbon budget, an extremely challenging annual emissions reduction of 8.1 per cent is required for each of the remaining years. Almost all sectors are on a trajectory to exceed their national sectoral emissions ceilings for 2025 and 2030, including Electricity, Transport, Agriculture and Industry.

The latest [EPA greenhouse gas projections 2023-2050](#)<sup>7</sup> indicate that the first two carbon budgets (2021-2030), which aim to support achievement of the 51 per cent emissions reduction goal, are projected to be exceeded by a significant margin of between 17 per cent (With Additional Measures – WAM scenario) and 27 per cent (With Existing Measures – WEM scenario). Discrepancies between the latest 2024 Greenhouse Gas projections and the data quoted in the latest NECP update were noted. These are detailed in Appendix II.

The EPA noted in its 2024 projections report that some measures included in the 2024 Climate Action Plan could not be included in the Projections as insufficient detail was available to model an implementation pathway (e.g. emissions savings from a decrease in embodied carbon in construction and agriculture diversification measures).

## **2. Climate change adaptation and resilience**

The European Commission in its assessment of the earlier NECP draft recommended the provision of additional analysis on the relevant climate vulnerabilities and risks and recommended setting out additional adaptation policies and measures. It is noted that the text of the current draft NECP aligns to the new National Adaptation Framework, however it is lacking detail in the consideration of climate risks to the plan.

The EPA is leading the development of Ireland's first National Climate Change Risk Assessment (NCCRA), to be published in 2025. The risk assessment will be informed by the current understanding of projected impacts (from hazards such as heatwaves, flooding or drought)

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<sup>5</sup> <https://www.epa.ie/publications/monitoring--assessment/climate-change/air-emissions/EPA-1990-2022-GHG-Report-Final.pdf>

<sup>6</sup> Land Use, Land Use Change and Forestry

<sup>7</sup> <https://www.epa.ie/publications/monitoring--assessment/climate-change/air-emissions/irelands-greenhouse-gas-emissions-projections-2023-2050.php>

and consequences of climate change for Ireland. The approach will follow international best practice and be aligned to the European climate risk assessment (EUCRA) approach. This major national resource will inform strategic adaptation priorities and provide a basis for making decisions on the acceptability of climate risks to Irish society, informing action and investment to mitigate unacceptable risks and realise opportunities. It will be a key input in the development and implementation of the National Adaptation Framework, the Climate Action Plan and the national emergency preparedness process.

### **3. Regulatory implications**

The EPA is the statutory authority for decisions on licence applications for installations undertaking industrial activities listed in Annex I of the Industrial Emissions Directive (IED) and to facilities carrying out waste disposal/recovery operations listed in the Third and Fourth Schedule of the Waste Management Act 1996 as amended.

The EPA supports the implementation of a **biomethane** strategy with “the potential to displace fossil gas in many hard-to-decarbonise sectors, such as high-temperature heat, while also playing a significant role in the decarbonisation of Ireland’s agriculture sector”. However, it is important that the development and deployment of new biomethane production capacity is within the framework of legal and regulatory obligations in place to protect the environment. In particular, the Agency brings your attention to related aspects such as the need for careful management of feedstocks; licensing and regulatory requirements; decarbonisation & GHG emissions; digestate & water quality; and the need for technical capacity in operating anaerobic digestion facilities to suitably mitigate any pollution risks they pose to the environment if inappropriately managed. The EPA’s response to the Draft National Biomethane Strategy is available on the EPA website<sup>4</sup> and expands on these issues.

The NECP discusses the role of the circular and the bioeconomy and actions outlined in the Climate Action Plan. There is significant and untapped potential for the application of end of waste and by-product criteria to significantly enhance Ireland’s circular economy.

### **4. Water quality**

As noted in the EPA’s previous submission compliance with decarbonisation targets should not happen at the expense of other statutory requirements such as those stipulated in the 5<sup>th</sup> Nitrates Action Programme.

Opportunities to reduce inorganic fertiliser use on land, as described in Chapter 3 on Policies and Measures, should not lead to potential increase in nutrient loss to surface or ground water. It is important the new activities, associated with decarbonisation measures, don't in themselves lead to an increase in the use and loss of nutrients which can ultimately impact on water quality.

Ensuring future climate resilience of infrastructure, such as wastewater treatment facilities, is an important aspect for the NECP to address.

## **5. Air pollution, air quality and noise**

As stated in our previous submission, the plan should ensure that the integration of air pollution controls, noise mitigation measures and climate action, for example in transport management, is put in place. This approach can ensure that multiple co-benefits are achieved for the environment and public health.

On noise specifically it would be beneficial if the implementation and delivery mechanisms for the Plan also align with the development of national planning guidance for noise, which has not yet been produced. Objective 65 of the current National Planning Framework refers to promotion of the pro-active management of noise through national planning guidance and Noise Action Plans.

## **6. Strategic Environmental Assessment and public consultation process**

### *Integration of the SEA into the NECP*

Integrating the recommendations set out in the SEA into the NECP will help provide for better environmental outcomes. In this context, while the SEA Environmental Report discusses the relevant issues considered in preparing the Plan, the current draft NECP has only partially integrated the SEA recommendations.

Currently, of the 26 separate mitigation measures proposed in the SEA, the NECP has only explicitly incorporated the four overarching general measures. The EPA recommends that the SEA findings should be better integrated by also referring to the full suite of SEA mitigation measures set out for the different dimensions covered by the NECP (decarbonisation, energy efficiency, energy security, internal energy market and related to research, innovation, and competitiveness). Specific comments on the SEA Environmental Report are set out in greater detail Appendix III of this submission.

## 7. Research and Innovation provided by the EPA

Research and innovation are one of the five dimensions of the EU energy union and is important for the formulation and assessment of the policies described in the NECP.

The EPA Research Programme, referenced in the NECP, funds research across four interconnected research hubs: climate change, the green and circular economy, environment and health, and our natural environment. The EPA Research Call 2024 will provide funding of up to €14.5 million for new research projects, many directly relevant to climate action or with climate-related co-benefits. Within our current portfolio<sup>8</sup> of research projects, the EPA manages approximately 100 climate research projects. Some examples of relevant projects to the NECP include: 2018-CCRP-MS.57 (SeQUEsTER project assessing pathways to Climate Neutrality); 2019-CCRP-DS.21 (Built Environment Climate Resilience and Adaptation); 2019-CCRP-DS.23 (Integrating Climate Change Adaptation into Emergency Planning); 2019-CCRP-DS.24 (Climate Change Adaptation risks and opportunities for Irish Businesses). Additionally, projects relevant to biomethane are listed in the EPA's response to the Draft National Biomethane Strategy<sup>4</sup>.

The EPA has a statutory responsibility for the coordination of environmental research nationally. To this end, the EPA chairs the National Environmental Research Coordination Group (NERCG)<sup>9</sup> which includes representation from relevant Government departments and agencies. The EPA publishes an annual report on Climate Research in Ireland, with the most recent report from 2023 available online.<sup>10</sup>

The EPA is happy to discuss all aspects of this submission and looks forward to continuing work with DECC on developing the final NECP.

Yours sincerely,



Mary Frances Rochford, Programme Manager

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<sup>8</sup> <https://www.epa.ie/our-services/research/epa-funded-research/epa-funded-projects/research-data-table-dev/>

<sup>9</sup> <https://www.epa.ie/our-services/research/national-environmental-research-coordination/>

<sup>10</sup> <https://www.epa.ie/our-services/research/national-environmental-research-coordination/climate-research-coordination-group/crcg-annual-reports-of-activities/>

## Appendix I



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**22<sup>nd</sup> March 2024**

### **Re: Consultation on Ireland's Draft National Energy and Climate Plan 2021-2030**

To whom it concerns,

The Environmental Protection Agency (EPA) welcomes the opportunity to respond to this Consultation on Ireland's Draft National Energy and Climate Plan, prepared to meet the requirements of the Governance of the Energy Union and Climate Action Regulation (Regulation (EU) 2018/1999). The EPA notes that the consultation process aims to gather the views of stakeholders and interested parties which will inform the development of the final plan and also notes the recommendations of the European Commission following their assessment of the draft plan.<sup>11</sup>

The Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report which was completed in 2023 provides a clear message on the scale and pace of climate action required to avoid the worst impacts of climate change.

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<sup>11</sup> [Commission Recommendation, Assessment \(SWD\) and Factsheet of the draft updated National Energy and Climate Plan of Ireland - European Commission \(europa.eu\)](#)

*“Deep, rapid and sustained mitigation and accelerated implementation of adaptation actions in this decade would reduce projected losses and damages for humans and ecosystems, and deliver many co-benefits, especially for air quality and health “. “Delayed mitigation and adaptation action would lock-in high-emissions infrastructure, raise risks of stranded assets and cost-escalation, reduce feasibility, and increase losses and damages”.* It also highlights the necessity to reach net-zero Carbon Dioxide emissions globally around the middle of this century in order to limit warming to 1.5°C.

As consumption of fossil fuels for energy is the main source of CO<sub>2</sub> emissions, this provides a key framing for action which is reflected in the outcomes from the first global stocktake under the Paris Agreement which called for *“Transitioning away from fossil fuels in energy systems, in a just, orderly and equitable manner, accelerating action in this critical decade, so as to achieve net zero by 2050 in keeping with the science”.*

Immediate and sustained transformative mitigation and adaptation actions are likely to yield substantial benefits for health, wellbeing and biodiversity in Ireland while reducing vulnerability to the adverse impacts of climate change. It is recognised that world class infrastructure takes significant time and investment from conception to implementation. However, the time horizon for achievement of national and EU commitments is getting ever shorter.

“Ireland’s Climate Change Assessment”<sup>12</sup> (ICCA) report published in January 2024 for the first time provides a comprehensive and authoritative assessment of the state of knowledge around all key aspects of climate change, with a central focus on Ireland. The assessment, which should be considered in the update of the NECP, echoes previous EPA reports finding that more action is needed to meet Ireland's legally binding emissions targets including large-scale and immediate emissions reductions across the energy system, which is currently heavily dependent (86%) on fossil fuels. A net zero energy system can significantly reduce Ireland’s imports of fossil fuel for our energy needs, from 70% to less than 5% in the future.

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<sup>12</sup> <https://www.epa.ie/our-services/monitoring--assessment/climate-change/irelands-climate-change-assessment-icca/>



Ireland is currently experiencing the impacts of climate change and needs to be resilient to ongoing and future climate change impacts. ICCA highlights that current implementation of adaptation is too slow and fragmented, doing better requires financing, working with people and nature, monitoring and evaluating outcomes, and increasing public and private sector involvement.

The second wave of the EPA's Climate Change in the Irish Mind<sup>13</sup> survey published in February by the EPA in support of the National Dialogue on Climate Action shows that, consistent with the previous study, there is widespread agreement within the Irish public on many climate change attitudes and strong majority support for climate action. The findings indicate that 89 per cent of people report that climate change is important to them personally and 79 per cent say climate change should be either a "very high" or "high" priority for Government, with high overall support for a range of climate action policies. Irish people think that climate action will increase economic growth and create jobs (56 per cent), and actions to reduce climate change will improve quality of life in Ireland (74 per cent).

The EPA's most recent State of the Environment Report highlighted that in Ireland's changing climate: *"mitigation and adaptation action that is planned, coordinated and prioritised is required to build the resilience of society and the economy in the face of current and projected climate change impacts"*. A strengthened National Energy and Climate Action Plan must as a minimum reflect the most up-to-date climate action plans and policies if it is to meaningfully support achievement of this transformation.

The EPA's purpose reflects our three core roles – as an environmental regulator, as a key source of trusted scientific evidence and knowledge, and as a voice for the environment through our leadership and advocacy. We are committed to collaborating and partnering with others to deliver better environmental outcomes.

Our statutory responsibilities include the following areas:

- Licensing of industrial, agricultural, water, waste and energy activities

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<sup>13</sup> <https://www.epa.ie/publications/monitoring--assessment/climate-change/climate-change-in-the-irish-mind-wave-2-report-1.php>

- National Environmental Enforcement
- Climate Science & Climate Change
- Administering EU Emissions Trading System
- EU Carbon Border Adjustment Mechanism
- Circular Economy and Waste Management
- Water Management
- Environmental Monitoring & Assessment
- Chemicals in the Environment
- Environmental Research and Development and
- Radiological Protection

The following observations and recommendations reflect these wide-ranging statutory responsibilities. As with previous National Energy and Climate Plans the EPA will continue to provide data and contextual input to your Department including the latest EPA Greenhouse Gas Inventories and Projections and other matters as required.

You are also referred to recent submissions made by the EPA in response to other consultations in the preparation of the NECP. These include:

- EPA submission to the Call for Evidence in advance of preparation of the 2024 Climate Action Plan, 31<sup>st</sup> July 2023<sup>14</sup>
- EPA submission on Ireland's Long-term Strategy for GHG Emissions Reductions, 20<sup>th</sup> September 2023<sup>15</sup>
- EPA submission on the National Adaptation Framework, 19<sup>th</sup> February 2024.

## **1. Climate change mitigation and reducing greenhouse gas emissions**

EPA greenhouse gas Inventory and Projections inform the monitoring of Ireland's climate action performance on a sectoral level. These data and evidence, published in 2023, have

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<sup>14</sup> <https://www.epa.ie/publications/corporate/submissions--position-papers/epa-submission-call-for-expert-evidence--climate-action-plan-2024-epa-ref-epac-1023.php>

<sup>15</sup> <https://www.epa.ie/publications/corporate/submissions--position-papers/epa-submission-public-consultation-on-the-department-of-the-environment-climate-and-communications-irelands-long-term-strategy-for-ghg-emissions-reductions-epa-ref-epac-0923.php>

highlighted the challenges that Ireland faces in achieving the scale and pace of greenhouse gas emissions reductions required to stay within the first two carbon budgets and reduce emissions by 51% relative to 2018.

The [EPA greenhouse gas inventory 2022](#)<sup>16</sup> shows that National total emissions (including LULUCF<sup>17</sup>), in 2022, were 68.07 Mt CO<sub>2</sub> eq, 2.7 per cent below the 2018 reference year. 47 per cent of Ireland's Carbon Budget for 2021-2025 has been used in the first 2 years. If Ireland is to stay within the first carbon budget, an extremely challenging annual emissions reduction of 12.4 per cent is required for each of the remaining years.

Almost all sectors are on a trajectory to exceed their national sectoral emissions ceilings for 2025 and 2030, including Electricity, Transport, Agriculture and Industry. A continued lack of delivery of large-scale practical actions to decarbonise activities in all sectors will see us exceed our carbon budgets. The time horizon for achievement of national and EU commitments is getting ever shorter. [EPA greenhouse gas projections 2021-2040](#)<sup>18</sup> indicate that the first two carbon budgets (2021-2030), which aim to support achievement of the 51 per cent emissions reduction goal, are projected to be exceeded by a significant margin of between 24 per cent (With Additional Measures - WAM scenario) and 34 per cent (With Existing Measures – WEM scenario).

You are also referred to "Ireland's Climate Change Assessment" (ICCA) report<sup>19</sup>, synthesis and Volume 2 of the report on Achieving Climate Neutrality by 2050 which explores the current best understanding of how to mitigate climate change with a central focus on Irish literature seeking to inform the pathway to a climate neutral Ireland.

The EPA notes that the draft NECP includes the projected impact of the WEM (With Existing Measures) measures scenario from the EPA Projections but does not include the higher ambition included in the WAM (With Additional Measures) scenario. The EPA agrees with the Commission's recommendation that the final NECP should set out additional policies and

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<sup>16</sup> <https://www.epa.ie/publications/monitoring--assessment/climate-change/air-emissions/irelands-greenhouse-gas-emissions-projections-2021-2040.php>

<sup>17</sup> Land Use, Land Use Change and Forestry covers the following categories; Forest land, Cropland, Grassland, Wetlands, Settlements, Other land and Harvested Wood products.

<sup>18</sup> <https://www.epa.ie/publications/monitoring--assessment/climate-change/air-emissions/irelands-greenhouse-gas-emissions-projections-2021-2040.php>

<sup>19</sup> <https://www.epa.ie/publications/monitoring--assessment/climate-change/irelands-climate-change-assessment-volume-2.php>

measures to bridge the projected gap to 2030 targets. The EPA is currently preparing the 2024 Greenhouse Gas projections which will consider the actions set out in the 2024 Climate Action Plan and which will be available for inclusion in the final NECP.

In compiling the greenhouse gas emission projections, it is not possible to include some policies and measures where there is insufficient information on the implementation pathway. One example of this is Carbon Capture Utilisation and Storage (CCUS) which is not included in the projections given a lack of information. The Commission recommended that Ireland takes action to identify the amount of CO<sub>2</sub> emissions that could be captured annually by 2030, including the source and how the captured CO<sub>2</sub> will be transported. However, this measure won't be included in the projections until further information is provided in relation to when and where CCUS measures are anticipated to be implemented.

The final greenhouse gas Inventory for 2022 is currently being prepared by the EPA for submission to the EU and UN to meet Ireland's reporting commitments and should also be used for the final NECP submission. The final Inventory incorporates revisions to the Provisional Inventory published by the EPA in July 2023, including updates to the Land Use, Land Use Change and Forestry (LULUCF) sector emissions reflecting the latest science.

Finally, the current draft NECP requires updating to reflect changes to the regulatory framework and climate action delivery mechanisms that have happened since the previous NECP, for example in section 3.1.1.1.

## **2. Climate change adaptation and resilience**

The European Commission assessment of the draft NECP notes that *"On adaptation to climate change, the plan does not consider relevant climate vulnerabilities and risks, and this may put the achievement of energy and climate mitigation objectives at risk."* Associated with this observation the Commission then recommends the provision of additional analysis on the relevant climate vulnerabilities and risks and also recommends seeing out additional adaptation policies and measures.

In seeking to include a consideration of climate vulnerabilities and risks in the final NECP, the EPA refers you to Ireland's Climate Change Assessment Report and previous submissions made by the EPA with regard to the National Adaptation Framework, specifically the EPA submission on National Adaptation Framework, 19<sup>th</sup> February 2024.

The NECP should reference the National Climate Change Risk Assessment (NCCRA) as described in the 2023 Climate Action Plan. This assessment, led by the EPA, will provide a prioritisation of risk at a national level that should be taken into account in the GHG emission reduction planning and delivery processes. The updating and further development of guidance will move towards a standardisation of risk assessment approaches, including cascading and systemic risks under the coordination of the EPA. This will ensure that the new data sets are used in a standardised way to achieve both mitigation and adaptation objectives. In assessing Ireland's climate risks within a European context, you are also referred to the European Climate Risk Assessment<sup>20</sup> (EUCRA), published by the European Environment Agency on 11 March 2024. It will help to identify policy priorities for climate change adaptation and for climate-sensitive sectors.

### **3. Regulatory implications**

Some of the measures set out in the NECP may have licensing or permitting requirements. An example of this is the measure to expand the indigenous biomethane sector through anaerobic digestion. The EPA is the statutory authority for granting licences to installations undertaking industrial activities listed in Annex I of the Industrial Emissions Directive (IED) and to facilities carrying out waste disposal/recovery operations listed in the Third and Fourth Schedule of the Waste Management Act 1996 as amended.

EPA licensing requirements, and the environmental considerations required by Best Available Techniques (BAT), need to be considered early in the planning process. Further information in relation to the licensing process is available on the EPA's website<sup>21</sup>. Information on BAT applicable to these installations can be found on the European Commission website<sup>22</sup>.

The EPA is committed to working constructively and collaboratively with all stakeholders in determining licensing requirements and providing timely assessments based on application prioritisation procedures and available resources. For further information on the regulatory implications of biomethane production via anaerobic digestion, you are directed to the EPA's response to the Public Consultation on Ireland's draft Biomethane Strategy.<sup>23</sup>

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<sup>20</sup> <https://www.eea.europa.eu/publications/european-climate-risk-assessment>

<sup>21</sup> <https://www.epa.ie/our-services/licensing/industrial/industrial-emissions-licensing-ied/>

<sup>22</sup> <https://eippcb.jrc.ec.europa.eu/reference/>

<sup>23</sup> [Submissions & Position papers | Environmental Protection Agency \(epa.ie\)](#)

#### **4. Water quality**

The protection and improvement of water quality in all waterbodies is a statutory requirement under the Water Framework Directive and it is important to ensure that the policies and measures outlined in the National Energy and Climate plan do not adversely affect the environment, or human health. It is important to emphasise that compliance with decarbonisation targets should not happen at the expense of other statutory requirements such as those stipulated in the 5<sup>th</sup> Nitrates Action Programme.

The Agency welcomes opportunities to reduce inorganic fertiliser use on land, as described in Chapter 3 on Policies and Measures, but any replacement nutrient source should not lead to the potential increase in nutrient loss to surface or ground water. It is also noted under the Nitrates Directive, that biofertilisers are included as part of the allocation of organic nutrients on farms. It is important the new activities, associated with decarbonisation measures, don't in themselves lead to an increase in farm intensification such as the increased use of chemical fertiliser which can ultimately impact on water quality.

#### **5. Air pollution and Air quality**

The NECP measures in relation to electrification of the road transport fleet, taking action in relation to chemical nitrogen fertilisers, improving the energy efficiency of our homes and reducing our reliance on solid fuels can also provide for improvements in air quality, reducing emissions of air pollutants such as nitrogen oxides, ammonia and particulate matter.

The plan should ensure that the integration of air pollution controls, noise mitigation measures and climate action, for example in transport management, is put in place. This approach can ensure that multiple co-benefits are achieved for the environment and public health.

#### **6. Strategic Environmental Assessment and public consultation process**

The NECP should fully consider the requirements of the Strategic Environmental Assessment (SEA) Directive, its implementing regulations (S.I. 435 of 2004, as amended) and the Habitats Directive.

The EPA is one of the statutory environmental authorities under the SEA Regulations. In our role as a statutory environmental authority we have received a notification in relation to the

scoping for the SEA in parallel to this public consultation on the draft NECP. A separate submission will be made to DECC in relation to the SEA scoping for the NECP.

However, it should be noted that in terms of the process for SEA, it is best practice to complete the SEA (and other environmental assessment processes, e.g. Appropriate Assessment) in parallel with the development of the plan or programme. This ensures that the findings of the SEA are fully integrated into the NECP. It is clear that this process is not being followed for the preparation of the NECP. This raises a question as to whether the likely significant environmental effects will be fully assessed and incorporated, as appropriate. It is important to also note that the SEA legislation requires public consultation to be undertaken on the draft plan, alongside the SEA environmental report, after the completion of the SEA scoping process. It will be important to clearly document the influence that the SEA has had on the overall development of the NECP.

The EPA is happy to discuss all aspects of this submission and looks forward to continuing work with DECC on developing the final NECP.

Yours sincerely,

*Mary Frances Rochford*

Mary Frances Rochford  
Programme Manager

## Appendix II – Corrections, clarifications and additions

### Greenhouse gas emissions data

The following discrepancies were noted in comparing the data in the latest NECP with the EPA Projections published in May 2024<sup>7</sup>.

- Pg 63, Table 6, and pg 329, Table 39, WEM projected emissions from the Waste sector in 2050 are 451.92 kt CO<sub>2</sub>eq;
- Pg 64, Table 7, and pg 329, Table 40, WAM projected emissions from the Manufacturing Combustion sector in 2035 are 2,561.61 kt CO<sub>2</sub>eq;
- Pg 328, the WEM scenario projects that LULUCF emissions will continue to rise by 89.8% from 4.2 Mt CO<sub>2</sub>eq in 2018 to 7.9 Mt CO<sub>2</sub>eq in 2030;
- Pg 330, Ireland will cumulatively exceed the ESR 2021-2030 emission allocation by 31.1 Mt CO<sub>2</sub>eq;
- Pg 331, a best-case value of 2.68 Mt CO<sub>2</sub>eq per annum LULUCF flexibility from 2021-2025 has been applied;
- Pg 331, in the WAM scenario, with the use of ETS and LULUCF flexibilities, projections show that Ireland will be cumulatively 17.7 Mt above target;
- Pg 332, in relation to input assumptions to our projections, under WAM the assumption is an uptake of electric vehicles totally 945,000 by 2030.

Similarly, based on the latest published inventory 1990-2022<sup>5</sup>:

- Pg 17, in the context of COVID-19, emissions in Ireland decreased by 3.5% in 2020 and rose again by 5.1% in 2021 as some sectors recovered;
- Pg 183, the EU ETS, now in its third phase, covers about 45% of total EU emissions, but just 24% of total emissions (excl. LULUCF) in Ireland, based on the latest inventories published by the Irish EPA in May 2024;
- Pg 325, total fossil fuel consumption in agriculture, forestry and fishing activities increased by 6.3% in 2018.
- Pg 323, Table 37, and pg 324, Table 38, the units of both tables, as presented, are in kt CO<sub>2</sub>eq;



- Pg 327, clarification, emissions associated with landfills, rather than the Waste sector in total as implied by current text, increased by 0.05 Mt CO<sub>2</sub>eq.

#### **Climate Change in the Irish Mind**

- The draft NECP refers to the first wave of the EPA's Climate Change in the Irish Mind survey. <sup>24</sup> The findings of the second wave of this survey was published in February 2024.

#### **National planning guidance for noise**

- The EPA notes that the plan mentions Objective 65 of the current National Planning Framework which refers to promotion of the pro-active management of noise through national planning guidance and Noise Action Plans. It would be beneficial if the implementation and delivery mechanisms for the Plan also align with the development of this national planning guidance for noise, which has not yet been produced.

#### **Incorporation of mitigation measures proposed in the SEA**

- SEA findings should be better integrated by also referring to the full suite of SEA mitigation measures set out for the different dimensions covered by the NECP. This could be achieved by including Table 9.1 and describing how the recommendations have been considered in the final Plan (possibly as an additional column to this table). We also recommend referencing the proposed SEA related monitoring programme in the Plan. The inclusion of Table 9.2 – *Proposed SEA monitoring programme in the Plan* should be considered.

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<sup>24</sup> <https://www.epa.ie/publications/monitoring--assessment/climate-change/climate-change-in-the-irish-mind-wave-2-report-1.php>

## Appendix III - Comments on the SEA Environmental Report

### *Baseline*

Consider updating references to EPA Reports on Greenhouse gas emissions projections to refer to the latest published report [Ireland's Greenhouse Gas Emissions Projections 2023-2050](#) (EPA, 2024).

### *Relevant plans and programmes*

We welcome that a comprehensive list of plans programmes and policies is provided, and the SEA extracts some key relevant targets and objectives from these plans and policies. We particularly welcome the inclusion of Figure 4.1 which shows how the NECP fits into the hierarchy of related and relevant plans and policies.

We suggest this could be improved by making *bullet-point summary of the targets that the NECP should be achieving* and, for each other plan discussed, a *brief explanation of the link from that plan to the NECP*. This would help reduce the number of plans/policies referred to and provide more emphasis on the key relevant policies, plans and programmes.

### *Assessment of the preferred alternative*

We note, in Section 7, the approach taken to developing and assessing alternatives in the SEA and acknowledge the methodology used to select a preferred alternative (Section 7.5) for the NECP. We also acknowledge the transparency regarding the alternatives not brought forward for consideration in the NECP and the explanation provided. In line with good SEA practice, more information as to why the alternatives presented in Table 7.1 were not brought forward should be included.

### *Mitigation and monitoring*

In the Non-Technical Summary, we welcome the inclusion of Table 6, showing what elements of the NECP may require mitigation. Good SEA practice could be further supported by also including this table in the NECP, as it shows which areas covered by the Plan require mitigation measures.

It would be useful to clarify whether and how the specific mitigation measures identified in the SEA, would be communicated to the relevant government departments, state agencies etc. responsible for implementing these actions.

Section 9 provides information on the general overarching mitigation measures to be considered, and also provides additional mitigation for the various dimensions covered by the NECP. We note, however that only the overarching mitigation measures have been included in the NECP. The additional mitigation measures recommended should also be referred to in the NECP.

Regarding decarbonisation considerations related to biomass, page 201 includes a bullet point referring to developing 'Irish sustainability criteria' and examining the proximity principle, given transport of biomass can vary from source to destination. Further information could be provided describing how these sustainability criteria will be developed.

Section 9.2 - *Monitoring*, includes reference to the *Guidance on SEA Statements and Monitoring* (EPA, 2020). This reference could be updated to refer to the updated version of this guidance published in 2023, and available at: <https://www.epa.ie/publications/monitoring--assessment/assessment/strategic-environmental-assessment/06695-EPA-SEA-Statements-and-Monitoring-Report.pdf>

In *Table 9.2 – Proposed SEA Monitoring Programme*, on page 206, the targets associated with national land cover changes, should be updated to reflect more definite or desired targets to achieve, rather than “*change in land cover nationally*”, or “*quantum of national land comprising carbon sinks*”.

#### *SEA Statement – “Information on the Decision”*

Once the NECP is adopted, you should prepare an SEA Statement that summarises:

- How environmental considerations have been integrated into the NECP;
- How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the NECP;
- The reasons for choosing the NECP adopted in the light of other reasonable alternatives dealt with; and,
- The measures decided upon to monitor the significant environmental effects of implementation of the NECP.

You should send a copy of the SEA Statement with the above information to any environmental authority consulted during the SEA process.