

There has been a failure to assess Ireland's energy programme, including its renewable energy programme, under the SEA directive Article 3.2.

The result is a lack of an overarching plan for public participation and lack of legality for it and its components. Policy has been made on a day to day basis with no overarching guidance . When planning applications are submitted for wind farms, battery storage , fuel generators and pylons / cables, the planning authorities do not deny the SEA requirements being absent but defend any Judicial Reviews on the grounds that challenges are out of time. In other words, when the NREAP and other components of energy policy became official, there was only eight weeks to challenge in the courts or the SEA directive was nullified forever. I do not say whether this is correct legal interpretation or not but it means that a serious wrong to the environment, consumers, and to other stakeholders is not recognised by the government who fight any challenge using large firms of Dublin lawyers to propagate this illegality .

I am a Cavan beef farmer and I have found my dealings with the Dept of Agriculture to be fair and equitable. I have no complaints. They are strict and I follow the rules to produce top quality beef. But in the last year I am directed to cut my cattle herd numbers in order to reduce the emissions from my farm. This removes my authority to make decisions on stocking levels. While this is happening, Government are encouraging and prompting planning authorities to grant permission for data centres. This in effect is an exchange of native farmers for data centres. The savings made by farming reductions will reduce overall export income from the food sector with consequent reductions in employment opportunities. It's as blunt and as harsh that the government deliberately refuse to carry out the SEA assessment because it could not justify politically or legally driving me out of my farm in favor of data centres with virtually no employment.

The electronics used in data centres generates heat and air cooling is essential which is done by fans assembled in row upon row. The cooling is done by air flow. Among the beneficiaries of data centres are social media platforms storing non essential videos and photographs forever and crypto currencies which can be used to avoid tax, for money laundering and hiding the proceeds of crime. Eirgrid agree that if the current rollout of data centres goes ahead up to 35% of our electricity demand will be consumed by them. Government and vested interests have put forward the concept that renewables such as wind energy and solar farms can generate 70% of Irelands electricity. This is a colossal scientific, practical and engineering error no matter how much renewables there are the wind only blows adequately 20% of the time and the sun similarly in Ireland. Therefore more

fossil fuel generation will be needed and this has been admitted by no less than the minister Eamon Ryan who said that fast acting gas and diesel plants will be required. I met the Energy Regulator in about 2013 at his Dublin offices. I remember a man called Blaney and another man attended. I explained this but they would not agree. Now, Eirgrid are to install emergency diesel generators at Poolbeg proving I was 100% correct. They say they will avoid the environmental impact directive 2011/92/EC but dont say how. I suspect they will install separate generating units below the EIA annex I threshold and this is illegal because the cumulative effects of all must be assessed by an EIA assessment. I may take a Judicial Review on that. I am currently on my third JR on energy projects.

If its the case that we cannot remedy the situation at this stage and this is to go ahead all public servants including the Regulator have a moral and legal responsibility to tell the truth. It is foolhardy to rely solely on gas imported on a pipe when we could have a more disperse coal, oil and gas mix. Add to this the plans for electric car charging and it can be seen that the emissions targets will have to be abandoned.

How this is handled is beyond my scope here but I can only appeal that we recognise that European law prevails in Ireland and compliance is a good place to start.

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