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RSPB response to the Draft Onshore Renewable Electricity Action Plan and accompanying Environmental Report, January 2012

Introduction

The RSPB is Europe's largest wildlife charity with over one million members, with more than 13,000 in Northern Ireland. We have been working in Northern Ireland for over 40 years and invest over £1.4 million in the protection of our natural environment annually. We consider that human-induced climate change poses the biggest long-term threat to global biodiversity. Therefore, the RSPB supports policies and measures that cut greenhouse gas emissions hard and rapidly and we are supportive of renewable energy development. We believe it is possible to meet Northern Ireland's renewable energy targets without causing harm to protected sites and species.

Summary

The Environmental Report (ER) covers the topics required and draws conclusions we generally accept given the constraint that DETI has set the Action Plan (AP) to be non-spatial and high level only.

However, this decision means a big missed opportunity. Purely relying on the market to achieve targets will undoubtedly lead to delays with individual projects as cumulative impacts increase, likely to be alongside an increase in public objections. There is evidence of this taking place already with onshore wind farm applications. Secondly we believe that refusing to contemplate a spatial approach (or at least some spatial elements) means that the requirement for the Strategic Environmental Assessment (SEA) to assess reasonable alternatives has not been met. It is also impossible to assess cumulative impact (ER 8.5).

Yet there is within the documents an understanding that spatial information is required, hence the proposed capacity studies which we support. We urge DETI to work with the industry, NIE and stakeholders to pull together the spatial information which already exists, and which would give much needed clarity to potential investors as well as the public.

Consultation questions

Q: Do you think that a review of local biomass production studies is necessary in Northern Ireland to ensure that research and knowledge are up to date?

There have already been various government assessments of biomass and bioenergy potential, including by DARD. To date it appears the conclusions have been that food production should be the main land use. In addition there are constraints around biomass energy production (scale, location of plant vs source of crop, emissions etc) which result in a poor cost : benefit ratio. In ER 8.6.2.6 the assumption is that biomass would be imported. The likelihood of imported biomass sustaining an industry while also maintaining a life-cycle reduction in carbon and greenhouse gas emissions is low. Finally, it is also possible to meet Northern Ireland's targets without resorting to biomass. We therefore suggest research

money should be used to garner information on what biomass is produced and used at present. This information should then be used to set realistic targets for the domestic market.

A limitation on the assessment of biomass is that no indication is given of the amount of land that would be required for biomass crops to make natively sourced biomass a serious option.

Q: Do you agree that capacity studies are necessary / would be useful for onshore wind developers? If yes, which body is best placed to complete these studies? Who should fund these capacity studies?

Yes, we believe these studies are necessary and should be linked to a spatial planning element for the AP at least establishing some exclusion zones and where possible setting out areas where development can be encouraged. Note this need is not only due to concerns about environmental damage, but also other practical constraints such as avoiding airport zones, communication signals etc, and to assessing cumulative impacts.

The capacity studies would need a project lead, probably from DETI, but to be successful would need meaningful input from DoE NIEA, DoE Planning, NIE, the industry and key NGOs with expertise and data. We believe there is also an opportunity to look at effective mitigation, habitat enhancement and offsetting. Note that a sub-group of the DoE Minister's Planning Advisory Forum is already considering some of these issues, so the mechanism is already partly in place.

The costs of the capacity studies can be minimised as various stakeholders already hold much of the information required. It seems reasonable that the studies should be funded by government as it is in the public interest to have a spatial plan to deliver the certainty of target delivery alongside security for investors, realistic expectations of the public, and compliance with European Directives. Habitat and species mitigation measures and offsetting should be paid for by the industry, but a spatial plan of suitable mitigation/enhancement could make this more cost effective by combining effort. For example, a habitat/species fund administered by DoE or another body could direct developer contributions (e.g. a fixed amount per turbine) into agreed and centrally managed restoration projects.

Q: Do you think only onshore wind needs to be monitored? Which body/Government Department is best placed to undertake this monitoring?

Onshore wind does need to be monitored, both the amount and location of development (to record against energy targets and cumulative impact) and the impacts of development (e.g. habitat/species loss or damage, altered hydrology, pollution events, any unforeseen impacts). This informs better understanding of future development requirements.

The monitoring should be overseen by both DETI (for targets) and DoE (for environmental impact). Both Departments are competent authorities and therefore responsible for ensuring that development complies with the European Directives. If there are any unforeseen impacts having adverse effects on internationally designated sites or species, suitable compensatory measures must be put in place.

Q: Do you think there is a need for an upper threshold to be introduced for onshore wind cluster development? If yes, should the limits be cluster specific?

Given that the AP is currently supposed to be non-spatial, it seems anachronous to suggest cluster thresholds in the absence of context e.g. biodiversity and landscape impacts. We support a spatial plan that would set exclusion zones and potentially cluster thresholds based on the results of the proposed capacity studies.

Q: Do you agree that grid development is essential to developing renewable energy sources? If so, who should pay for it? Is there a necessity for the Utility Regulator to consider longer term planning than the current five year price control period?

Grid development will evidently be required. The potential impact of grid development on habitats and species must also be properly assessed and mitigated.

Q: Do you agree with the range of actions identified to take forward within the draft OREAP? If not, please state why and let us know how you would amend the actions or propose new additional ones to help deliver the OREAP? On the basis of the assessments carried out in the ER, do you agree with the overall results and proposed mitigation measures at 4.7 above? If not please tell us why. Please note that the above is a resume of the extensive ER which contains the detailed analysis behind the overall results.

We believe an element of spatial planning is necessary to maximise the ability of government to meet energy and emission targets within the timeframes set out. Without a plan, relying on the market alone is likely to lead to lengthy delays and potentially wasted time/resources where unsuitable developments are proposed. Public frustration may increase, and there will be increased pressure on internationally important biodiversity.

Action 1: We agree with the need for these capacity studies. Note that landscape impacts is not the RSPB's area of expertise but we believe it would be useful for public engagement and expectations. The capacity studies should be Northern Ireland wide – taking 'regional' at that sense rather than anything smaller. These capacity studies need to be drafted and acted upon quickly, as otherwise ongoing development will render them less useful. NIE is already advising that onshore wind connection applications will be at/above 1200MW within five years (ER 5.6).

The conclusions in chapter 9 that there is potential for increased likelihood of significant adverse effects of onshore wind where dispersed into new locations/areas, with the most significant being landscape and ecology is support for a spatial approach to avoid these effects at an early stage.

Action 2: We agree with the need for adequate monitoring and review. Monitoring can also be linked to the new Biodiversity Strategy.

Action 3: We agree there needs to be additional grid development.

Action 4: We agree there should be coordination between the on- and off-shore renewable action plans.

Action 5: We agree there needs to be compliance with EIA and Habitats Directives. However the screening and assessment of each project on an individual basis could be simplified with a spatial plan.

The phrasing of 9.2.1.4 HRA requirements is not quite correct and we recommend the following adjustments (*italics or strikethrough*):

“All individual projects subject to development consent will be required to comprehensively demonstrate that the development would not have a Likely Significant Effect (LSE) on the integrity of a Natura 2000 site *either alone or in combination with other plans or projects*. Where it is not possible to conclude that there would be no LSE, the applicant must *undertake a full appropriate assessment and* clearly demonstrate as part of the consent application process the mitigation measures that will be implemented as part of the project to avoid LSE, detailing how these measures will be implemented. ~~Where there are no options for avoiding LSE the applicant must demonstrate that there are Imperative Reasons of Overriding Public Interest (IROPI) for the project.~~ *Where it is not possible to ascertain the proposal will not adversely affect the integrity of a Natura 2000 site, the project can only proceed if there are no alternative solutions (including do nothing and alternative location options) and where there is an imperative reason of overriding public interest meeting European Commission criteria.*”

The project level/EIA recommendations (ER 9.1) are standard and should represent what already takes place at project level assessment to date.

Q. Do you consider that the strategic economic benefit of renewable electricity production has been identified? If not please advise what else should be included.

The cost to the public if developments are put in the wrong places have not been assessed. It would be useful to know the value of habitats, species and landscapes (inherently, and to people for ecosystem services) and potential infraction costs. This would set the financial imperative and support for getting the location and development of renewable energy right first time, without damage to our environment.

Q. Do you agree with the reporting, monitoring and evaluation proposals? If not, please state why and what alternatives you would propose?

Yes, but the proposals are likely to need further refining once the capacity studies have been carried out.

Other comments

Our comments here are listed against AP (Action Plan) or ER (Environmental Report) with the relevant paragraph number.

AP 2.6. We agree that if Northern Ireland is to meet its targets, the barriers to deployment must be minimised. DETI must recognise that current barriers include long delays due to serious objections to the few developments proposed within internationally designated sites or affecting internationally important habitats or species. Barriers also include the increasing volume of public objections in parts of Northern Ireland. These could be avoided with spatial planning to ensure that important areas for biodiversity are not considered for development, by allowing other areas to be developed but with effective and strategic biodiversity offsetting (e.g. mitigation, restoration, enhancement) and by engaging the public on the necessity of renewable energy to mitigate climate change but giving realistic public expectations of where and how this will be delivered.

AP 4.5. We would like to see the HRA as soon as it is available.

ER 7.2. Under operational effects the potential for habitat restoration is mentioned. This is true, but to date there have been few good examples of habitation restoration either on or off-site. Much more needs to be done to make this is a realistic positive outcome.

Displacement of species is certainly a possibility. At Lendrum's Bridge the number of hen harriers appears to have fallen, although it is hard to ascertain whether this has been caused by the development of several wind farms in the area or other factors.

Another potential adverse effect is that of introducing easier pathways for ground predators (e.g. foxes) and cover for avian predators impacting the success of ground nesting birds or other protected wildlife.

ER 7.2.4.1. Effects on peat can be widespread and an increasing amount is known about this. See for example the report for the RSPB on the proposed Lewis wind farm (Lindsay 2008 available to download at www.rspb.org.uk/supporting/campaigns/lewis/).

ER 7.3. The section on potential operational effects of biomass is insufficient on regarding habitat/species damage. The planting of biomass crops can do much more than reduce foraging opportunities. It can also remove breeding opportunities (either by replacing suitable breeding habitat or by 'closing in' the landscape vista affecting species like lapwing that need open areas), cause the loss of other ecologically important habitats (depending on where biomass is planted) and increase the likelihood of predation by providing cover. However we do agree that appropriately managed sources of biomass can, in some circumstances, give biodiversity benefits.

Hydrology modifications – some crops (willow, timber) do affect ground water levels and hydrology in an area, especially if on inappropriate locations (such as blanket bog). This is also relevant under 7.3.3.2 and 7.3.4.2 if planted on peat soils.

The lifecycle approach to carbon is good (7.3.9.2) but this leads to the conclusion that reliance on imported biomass would probably not result in sufficient carbon savings to be worthwhile. The reality that biomass would be imported is also stated in 8.3.2.

ER 7.4. The cumulative impacts of these technologies is not referenced here. While individual turbines result in little habitat loss, clusters are starting to develop where there could be a cumulative effect. For example, many single turbines appear to a bird as a wind farm with same issues of disturbance, displacement, collision etc. There is also a potential cumulative effect of small-scale hydro power, especially in low head rivers: one dewatered stretch of river with a fish pass may be acceptable, but the impacts may be unacceptable if there are several dewatered sections along a section of classified salmon river for example. The impact on Water Framework Directive status should also be examined, especially if development changed the status of the river to a heavily/modified water body.

ER Table 8.2. There is a note that as of September 2011 a further 537.9MW has been added, which appears to indicate that the ‘low’ scenario has already been met – supporting our case that in fact targets can be met without having to impact internationally designated habitats and species. In 8.4 it suggests that the grid can take a further 400MW but it is not clear whether this includes the updated September 2011 figure.

ER Table 8.4. This table is out of date, with around 800 single turbines now in the system. As only c.15 hydro schemes are expected, it would be useful to know how many are already built or in planning.

ER 8.6.1.2. The main effects on biodiversity of certain bird species and peat habitats as well as bats are appropriate here. We recommend an addition of breeding curlew, a red-listed species of conservation concern (all-Ireland) thought to number only a few hundred pairs in Northern Ireland. The RSPB is currently working on an evidence-based estimate for this, but the best sites for breeding curlew are already known and are coming under threat from proposed wind farm developments. Peer-reviewed science indicates that curlew are subject to disturbance from wind farms, with breeding densities declining by 40% within 500m of turbines and showing displacement up to 800m.

The ER reports “*With detailed site selection studies and ecological surveys at the project stage the overall significance of these effects could be reduced or avoided*” and table 8.6 “*Continuing with current patterns of development could lead to developments either encroaching directly into protected sites (direct habitat loss/disturbance and species disturbance or displacement) or having indirect effects on protected sites elsewhere.*” Actually some of these effects could be avoided now if the SEA took a spatial approach and delineated certain areas to avoid.

The assessment matrices do list most of the likely impacts, but without some plan-level mitigation the likely significance is often fairly meaningless (i.e. low-high adverse covers a rather wide range of possibilities).

Table 8.8. The impact of single turbines could be quite high if located in the wrong place, for example many single turbines across an area hosting ~10% of Northern Ireland’s curlew population.

Table 8.10. It is possible that swan/goose flightlines may be a factor on the north coast too.

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January 2012