

Ms Ethna Felten  
Director of Services  
Aircraft Noise Competent Authority  
Fingal County Council  
County Hall  
Main Street, Swords  
Co Dublin, K67 X8Y2

16<sup>th</sup> February 2022

Our Ref: SCP210501.2

**Re. Draft Regulatory Decision and Noise Abatement Objective for Dublin Airport and associated SEA Environmental Report**

Dear Ms Felten,

We acknowledge your notice, dated 11<sup>th</sup> November 2021, in relation to the Draft Regulatory Decision and Noise Abatement Objective for Dublin Airport (the 'RD' and the 'NAO' respectively.) and the associated SEA Environmental Report ('SEA ER'). Where we make comments related to both the NAO and RD together, we will refer to them together as 'the Plan'.

The EPA is one of the statutory environmental authorities under the SEA Regulations. In our role as an SEA environmental authority, we focus on promoting the full and transparent integration of the findings of the SEA ER into the Plan and advocating that the key environmental challenges for Ireland are addressed as relevant and appropriate to the plan. Our functions as an SEA environmental authority do not include approving or enforcing SEAs or plans.

We note that the 'Plan' comprises two elements; the NAO, which is focused on noise-related outcomes, and a RD, which relates to the mitigation of noise and consideration of operating restrictions for managing the outcomes identified in the NAO.

We note that the high-level objective for the Plan, through the NAO, is for Dublin Airport, to seek to *"Limit and reduce the long-term adverse effects of aircraft noise on health and quality of life, particularly at night, as part of the sustainable development of Dublin Airport"*.

We welcome that the Plan includes objectives to reduce by 30% the proportion of people that may be chronically disturbed by transport noise by 2030 (based on 2019 figures), with further reductions by 2035 and 2040, as well transitioning to a 'net zero carbon' airport by 2050. We recognise the intention to support improvements in technology and the design of engines and aircraft, to reduce emissions and become more energy efficient.

We acknowledge that the principle elements associated with reducing or addressing aircraft related noise, associated with the Plan include noise reduction at source, land use planning/land and land use management, noise abatement operational procedures and operating restrictions. Monitoring of the effectiveness of the measures proposed to reduce noise and also take account of the other environmental criteria considered in the SEA should be considered over the lifetime of the Plan.

The Aircraft Noise Competent Authority should ensure that the Plan aligns with key relevant higher-level plans and programmes and is consistent with the relevant high level objectives and policy commitments, such as those within the National Planning Framework and the Eastern and Midlands Regional Spatial and Economic Strategy and the Climate Action Plan 2021 for example.

We acknowledge that the Plan has been prepared, taking into account the WHO Noise Guidelines (WHO, 2018) and EC Directive 2020/367 and also note the monitoring criteria proposed for monitoring of noise associated with implementation of the Plan.

There is merit in considering climate adaptation measures and resilience to climate change in preparing the RD.

Specific comments on the SEA are provided in Appendix 1, while Appendices 2A and 2B provide comments on the Plan (NAO and RD respectively)

### **Future Amendments to the RD and the NAO**

You should screen any future amendments to the RD and the NAO for likely significant effects, using the same method of assessment applied in the "environmental assessment" of the RD and the NAO.

### **SEA Statement – "Information on the Decision"**

Once the RD and the NAO are adopted, you should prepare an SEA Statement that summarises:

- How environmental considerations have been integrated into the RD and the NAO;
- How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the RD and the NAO;
- The reasons for choosing the RD and the NAO 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 RD and the NAO.

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

Guidance on preparing SEA Statements is available on the EPA website at the following link: <https://www.epa.ie/publications/research/environmental-technologies/research-306-guidance.php>

### **Environmental Authorities**

Under the SEA Regulations, you should consult with:

- Environmental Protection Agency;
- Minister for Housing, Local Government and Heritage;
- Minister for Environment, Climate and Communications; and
- Minister for Agriculture, Food and the Marine.

If you have any queries or need further information in relation to this submission, please contact me directly. I would be grateful if you could send an email confirming receipt of this submission to: [sea@epa.ie](mailto:sea@epa.ie).

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'Cian O'Mahony'.

Cian O'Mahony  
SEA Section  
*Office of Evidence and Assessment*

## Appendix I - Comments on the SEA ER

Regarding Noise and Vibration, the Plan should include a recommendation that adjoining local authorities noise action plans may require a review, in the context of any potential changes arising from implementing the Plan may have on their respective noise action plans and related land use management and planning activities.

In *Table N4 - Summary of the relevant environmental baseline* (of the SEA), for 'Air Quality', the reference to the Climate Action Plan 2019 should be updated to refer to the Climate Action Plan 2021. For 'Carbon and Climate Change', the reference in Column 2 (*Current state of the environment including characteristics and problems*) to significant decreases in fuel tourism having been observed. The table would benefit from describing what "fuel tourism" refers to do in the context of the Plan.

We note the proposal to amend the existing operating restriction (Condition 5) to set a limit of 65 night-time aircraft movements at the airport in favour of a noise quota scheme for aircraft movements between the hours of 2300 and 0700. While the quota is set at '16,260', it would be useful, to refer to the related units associated for this number where this is referenced in the Plan and SEA. We understand that different aircraft types are assigned different noise values. It would be useful to consider including a reference table highlighting some of the standard aircraft noise values currently in operation at Dublin Airport.

In *Table 2.1: Key components of the NAO*, regarding Part 2: explaining the objective, it may be useful to consider amending the text as follows:

*"Noise from Dublin Airport should be limited and reduced in line with principles of environmentally sustainable development..."*

We acknowledge that Part 4 of this table describes that noise exposure from Dublin Airport is expected to increase up to 2025, but then reduce over the medium to long term. The proposed measures look to reduce the number of people highly sleep disturbed and highly annoyed by 30% in 2030 (relative to 2019) and by 50% in 2040 (relative to 2019). We note that monitoring of the NAO will also take account of annual reviews/reports.

We suggest that SEA related monitoring, described in the SEA, should also feed into the annual reviews and reporting where possible.

In *Table 2.2 – Proposed content of the RD*, we note the reference to the noise quota value of 16,260. For clarity purposes the actual units should be provided.

With regards Condition 3 in this table, we note that *"Dwellings exposed to levels at or above 55 dB L<sub>night</sub> shall be reviewed every two years commencing in 2027 and if applicable be made eligible for the scheme"*.

Given that page 42 of the SEA '*Relationship with other plans and programmes*' indicates that the Meath County Development Plan 2013-2019 has been taken into account, Table 2.2 should also take acknowledging this, in respect to Condition 3, as appropriate.

*Section 3- How the Assessment was undertaken, including alternatives and difficulties*

We note the elements of the environment that have been scoped in and out for the Plan. Additionally, we welcome that Section 3.5 outlines how scoping consultation responses, including from the EPA have been considered. Table 3.2 sets out specifically the key points from the EPA's scoping submission, which is welcomed, and we note how it is proposed they will be accounted for in the Plan.

We note the environmental protection objectives, targets and indicators as presented in Table 3.5 and also acknowledge *Table 3.6 - methodology for assessing impacts of the NAO and RD*.

In *Chapter 4 – Current State of the Environment including characteristics, problems and evolution*, with regards air quality, Section 4.11 refers to Dublin's Regional Air Quality Management Plan 2009-2012 (yet to be updated). With regards this air quality plan, when updating, the requirements of the SEA and Habitats directives should be considered, as appropriate and relevant.

*Assessment of Alternatives*

We acknowledge the approach taken in the consideration of alternatives in preparing the SEA. We welcome that in Section 3.10, the EPA's guidance note *Developing and Assessing Alternatives in SEA* (EPA, 2015) is referred to and that it has been taken into account in preparing the SEA.

*Assessment of Environmental Effects*

In assessing of the range of likely significant environmental effects of implementing the Plan, we welcome the reference in the SEA that the EPA's guidance note on cumulative effects assessment in SEA, has been taken into account.

*Mitigation Measures*

Where the potential for likely significant effects has been identified, clear commitments to implement the mitigation measures should be provided.

Subsection 5.49 (p109 of 139) states that "*Overall, the likelihood of compliance with WHO noise guidelines as a result of implementing the NAO and RD is high, and importantly, albeit accepting that night-time noise exposure is likely to increase, greater than the likelihood of compliance without the NAO.*" This should be supported by effective relevant monitoring and reporting to ensure the mitigation measures set out in the Plan are being implemented.

*Monitoring*

We note that monitoring of the NAO will be informed by annual reports, which will be reviewed by the Aircraft Noise Competent Authority (ANCA) as part of its obligations

under the Act of 2019. There is also merit in linking the SEA and NAO related monitoring to ensure that the wider environmental monitoring is taken into account, as appropriate.

While the NAO relates to noise specific monitoring and mitigation, there is merit in including a table, which shows the relevant environmental monitoring for each of the environmental criteria scoped into the environmental assessment, to show how the monitoring programme takes these into account. Where other plans/programmes are responsible for the monitoring/mitigation of these aspects, they could be summarised/referred to here also.

The Monitoring Programme should be flexible to take account of specific environmental issues and unforeseen adverse impacts should they arise. It should consider and deal with the possibility of cumulative effects. Monitoring of both positive and negative effects should be considered. The monitoring programme should set out the various data sources, monitoring frequencies and responsibilities.

If the monitoring identifies adverse impacts during the implementation of the RD and the NAO, the ANCA should ensure that suitable and effective remedial action is taken.

Guidance on SEA-related monitoring is available on the EPA website at <https://www.epa.ie/publications/research/environmental-technologies/research-306-guidance.php>

## **Appendix 2A - Comments on the Noise Abatement Objective**

We acknowledge the core principles of the Noise Abatement Objective (NAO) as set out in Section 6.3 (page 21) of the NAO document. We note the NAO recognises that it needs to be set, in the context of regional, national, European and international policy considerations, including the European Noise Directive and the 2018 WHO Environmental Noise Guidelines for the European Region.

We also acknowledge that the NAO takes account of the EPA guidance note for Strategic Noise Mapping for the Environmental Noise Regulations 2006 (EPA, 2011).

We note that Chapter 8 summarises the environmental assessments undertaken alongside the NAO and provides an overview of the processes carried out. There is merit in also summarising the key findings of these assessments to further link the two processes.

## **Appendix 2B - Comments on the Regulatory Decision Report**

We note the three conditions covered by the RD, which relate to the introduction of a noise quota scheme (Condition 1), operational restrictions on the north runway (Condition 2) and the voluntary residential sound insulation grant (Condition 3).

With regards the noise quota scheme, where potential exceedances of the noise quota may arise, it would be useful to clarify what procedures may be implemented. For instance, are there potential options to redirect additional evening flights to alternative airports, or would the additional flights need to be facilitated outside of the times that the noise quota scheme would apply, or would additional flights proceed as normal.

We acknowledge the key relevant policy areas and plans/programmes of relevance to the RD in *Chapter 4 – Policy and Legislation overview*, including the National Planning Framework and Regional Spatial and Economic Strategy for the Eastern and Midlands Region, Dublin Airport Central Master plan, the Fingal Development Plan 2017-2023 and the Fingal County Council Aircraft Noise Action Plan 2019-2023. We note in the SEA, that the Meath County Development Plan was also taken into account. In light of this, there may be merit in acknowledging this plan also, as appropriate.

We acknowledge the principle elements associated with reducing or addressing noise, associated with the Plan, as set out in section 5.4 (p80) - *Principal Elements of the Balanced Approach*. These include noise reduction at source, land use planning/land and use management, noise abatement operational procedures and operating restrictions.