



# Arklow Bank Wind Park 2

## Environmental Impact Assessment Report

Volume II, Chapter 2: Policy and Legislation

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1.0	20/02/2024	Final (External)	GoBe Consultants	GoBe Consultants	Sure Partners Limited

## Statement of Authority

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## Glossary

Term	Meaning
An Bord Pleanála (ABP)	The independent statutory body that decides on appeals from planning decisions made by local authorities in the Republic of Ireland. An Bord Pleanála also decides major strategic infrastructural projects under the provisions of the Planning and Development (Strategic Infrastructure) Act 2006 and have responsibility for determining planning permission for certain classes of development within the maritime area and for the generality of offshore development beyond the nearshore.
Arklow Bank Wind Park 2 – Offshore Infrastructure	“The Proposed Development”, Arklow Bank Wind Park 2 Offshore Infrastructure: This includes all elements under the existing Maritime Area Consent.
Arklow Bank Wind Park 2 (ABWP2) (The Project)	<p>Arklow Bank Wind Park 2 (ABWP2) (The Project) is the onshore and offshore infrastructure. This EIAR is being prepared for the Offshore Infrastructure. Consents for the Onshore Grid Infrastructure (Planning Reference 310090) and Operations Maintenance Facility (Planning Reference 211316) has been granted on 26<sup>th</sup> May 2022 and 20<sup>th</sup> July 2022, respectively.</p> <ul style="list-style-type: none"> <li>• Arklow Bank Wind Park 2 Offshore Infrastructure: This includes all elements to be consented in accordance with the Maritime Area Consent. This is the subject of this EIAR and will be referred to as ‘the Proposed Development’ in the EIAR.</li> <li>• Arklow Bank Wind Park 2 Onshore Grid Infrastructure: This relates to the onshore grid infrastructure for which planning permission has been granted.</li> <li>• Arklow Bank Wind Park 2 Operations and Maintenance Facility (OMF): This includes the onshore and nearshore infrastructure at the OMF, for which planning permission has been granted.</li> <li>• Arklow Bank Wind Park 2 EirGrid Upgrade Works: any non-contestable grid upgrade works, consent to be sought and works to be completed by EirGrid.</li> </ul>
Competent Authority (CA)	The authority designated as responsible for performing the duties arising from the EIA Directive as amended. For this application, the Competent Authority is An Bord Pleanála.
Environmental Impact Assessment (EIA)	An Environmental Impact Assessment (EIA) is a statutory process by which certain planned Projects must be assessed before a formal decision to proceed can be made. It involves the collection and consideration of environmental information, which fulfils the assessment requirements of the Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment as amended by Directive 2014/52/EU of the European Parliament and of the Council (EIA Directive) and the regulations transposing the EIA Directive (EIA Regulations).

Term	Meaning
Environmental Impact Assessment Report (EIAR)	An Environmental Impact Assessment Report (EIAR) is a report of the effects, if any, which the proposed project, if carried out, would have on the environment. It is prepared by the developer to inform the EIA process.
European Directive	A "directive" is a legislative act that sets out a goal that all EU countries must achieve. However, it is up to the individual countries to devise their own laws on how to reach these goals.
Foreshore	The bed and shore, below the line of high water of ordinary or medium tides, of the sea and of every tidal river and tidal estuary and of every channel, creek, and bay of the sea or of any such river or estuary including the subsoil below, and the water column above the bed and shore and extending to the 12 nautical mile limit.
Foreshore licence	Licences granted under section 3 of the Foreshore Act 1933, as amended.
Maritime Area Consent (MAC)	A consent to occupy a specific part of the maritime area on a non-exclusive basis for the purpose of carrying out a Permitted Maritime Usage strictly in accordance with the conditions attached to the MAC granted on 22 <sup>nd</sup> December 2022 with reference number 2022-MAC-002.
Natura Impact Statement (NIS)	A statement, for the purpose of Article 6 of the Habitats Directive of the implications of a proposed development, on its own or in combination with other plans or projects, for one or more than one European site, in view of the conservation objectives of the site or sites.
Permitted Maritime Usage	The construction and operation of an offshore windfarm and associated infrastructure (including decommissioning and other works required on foot of any permission for such offshore windfarm).
The Application	The full set of documents that will be submitted to An Bord Pleanála in support of the consent.
The Developer	Sure Partners Limited

## Acronyms

Term	Meaning
AA	Appropriate Assessment
ABP	An Bord Pleanála
ABWP2	Arklow Bank Wind Park 2
CAP23	Climate Action Plan 2023
CAP24	Climate Action Plan 2024
CPO	County Policy Objective
EC	European Commission
EIA	Environmental Impact Assessment
EIAR	Environmental Impact Assessment Report
EMRA	Eastern and Midlands Regional Assembly
EU	European Union
EU-IMP	EU – Integrated Maritime Policy
GHG	Greenhouse Gas
MAC	Maritime Area Consent
MAP Act	Maritime Area Planning Act 2021
MSFD	Marine Strategy Framework Directive
NDP	National Development Plan
NECP	National Energy and Climate Plan
NIS	Natura Impact Statement
NMPF	National Marine Planning Framework
NPF	National Policy Framework

ORE	Offshore Renewable Energy
ORED	Offshore Renewable Energy Development Plan
OESS	Offshore Renewable Electricity Support Schemes
PoM	Programme of Measures
RPO	Regional Policy Objective
RSES	Regional Spatial and Economic Strategy
SAC	Special Area of Conservation
SPA	Special Protection Area
SCI	Site of Community Importance

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## Units

Unit	Description
CO <sub>2eq</sub>	Carbon dioxide equivalent
GW	Gigawatt
MW	Megawatt

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## 2 Policy Context

### 2.1 Introduction

2.1.1.1 This chapter of the Environmental Impact Assessment Report (EIAR) outlines the key legislative requirements relating to the Environmental Impact Assessment (EIA) and Appropriate Assessment (AA) of the Proposed Development. It also outlines the relevant policy which underpins the Proposed Development at European Union (EU), national, regional, and local level.

2.1.1.2 The Irish climate and energy ambitions to tackle climate change includes substantial reductions of greenhouse gas emissions to facilitate a rapid transition to net zero. To succeed with Ireland's commitments towards carbon neutral emissions, a focus has been placed on renewable energy development by the Irish government. With the current ambition to reduce greenhouse gas (GHG) emissions by 51% by 2030<sup>1</sup> and achieve net zero before 2050, offshore wind energy plays a unique role in the rapid transition towards the net zero carbon energy system in Ireland.

### 2.2 Relevant European Planning and Development Policy

#### 2.2.1 Overview

2.2.1.1 In 2007, the EU adopted an Integrated Maritime Policy (EU-IMP) which seeks to provide a more coherent approach to cross-cutting maritime issues, with increased coordination between different policy areas such as blue growth, marine data and knowledge, integrated maritime surveillance, sea basin strategies and maritime spatial planning. EU-IMP encourages all coastal Member States to develop integrated maritime policy and plans at a national level. This has since been supported by numerous policy initiatives and legislative measures, including the European Maritime Spatial Planning Directive 2014/89/EU, the National Marine Planning Framework 2021 and the 2030 EU Climate and Energy Framework, as set out below.

#### 2.2.2 European Marine Spatial Planning Directive

2.2.2.1 In 2014, the adoption of the European Maritime Spatial Planning Directive 2014/89/EU established an EU-wide framework for maritime spatial planning. It was aimed at promoting the sustainable growth of maritime economies, the sustainable development of marine areas and the sustainable use of marine resources. The Directive details the main goals and minimum requirements for Member States as follows:

- Balanced and sustainable territorial development of marine waters and coastal zones;
- Optimised development of maritime activities and business climate;
- Better adaptation to risks; and
- Resource-efficient and integrated coastal and maritime development.

2.2.2.2 The Directive defines maritime spatial planning as:

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<sup>1</sup> 51% reduction compared to 2005 greenhouse gas emissions.

"... a process by which the relevant Member State's authorities analyse and organise human activities in marine areas to achieve ecological, economic and social objectives".

2.2.2.3 Ireland transposed the Directive through the EU (Framework for Maritime Spatial Planning) Regulations 2016 (S.I. No. 352/2016). However, in October 2018 the Regulations were repealed and replaced by Part 5 of the Planning and Development (Amendment) Act 2018 which put the Directive into primary legislation and contains a number of measures that are additional to those required by the Directive. One of these measures is the establishment of the necessary legal basis and broad framework for Ireland to implement a National Marine Spatial Plan (section 2.3.4).

## 2.2.3 2030 EU Climate and Energy Framework

2.2.3.1 The 2030 EU Climate and Energy Framework provides a framework for climate and energy policies in Europe. It was agreed by EU leaders in 2018. This framework seeks a 40% reduction in EU GHG emissions from 1990 levels and a greater contribution from renewable energy.

2.2.3.2 Arising from this, the revised Renewable Energy Directive 2018/2001 on the promotion of the use of energy from renewable sources (recast), sets a target of at least 32% for renewable energy, at EU-wide level, with a review clause by 2023 for a potential upward revision of the EU level target. The Renewable Energy Directive is currently being revised. This will see the EU's renewable energy target increased to 45%.

2.2.3.3 The revised Energy Efficiency Directive 2018/2002 sets a target of at least 32.5% for energy efficiency, at EU-wide level. In 2023, a revision to the Directive raises the EU energy efficiency target, making it binding for EU countries to collectively ensure an additional 11.7% reduction in energy consumption by 2030, compared to the 2020 reference scenario projections.

2.2.3.4 The EU Governance of the Energy Union and Climate Action Regulation 2018/1999 sets the overall framework for the achievement of the EU climate and energy 2030 targets.

2.2.3.5 Ireland has prepared a National Energy and Climate Plan (NECP) 2021 to 2030 (Table 2.1 for further details) to meet the requirements of the EU Governance of the Energy Union and Climate Action Regulation 2018/1999. This was drafted before Ireland introduced its Climate Act and before the EU increased its 2030 emissions reduction targets. Ireland is currently developing the policies necessary to reach these higher targets which it is our understanding will be reflected in a revised NECP.

## 2.2.4 European Green Deal and Fit for 55

2.2.4.1 The European Green Deal (EUR-Lex European Union, 2019a) was agreed in 2021 and is the EU growth strategy to transform Europe to a climate-neutral, fair and prosperous society with a modern resource efficient and competitive economy. It aims for no net emissions of greenhouse gases by 2050 with economic growth decoupled from resource use.

2.2.4.2 To achieve climate neutrality as per Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law'), the EU has committed to increasing the greenhouse gas emission reductions targets for 2030 to at least 55%. A key route to achieving this will be the development of an energy sector based significantly on renewable resources. The "Fit for 55" package of EU reforms puts in place new initiatives with the aim of ensuring that EU policies are in line with these new climate goals.

## 2.2.5 REPowerEU

2.2.5.1 In response to the global energy market disruption caused by the Russian invasion of Ukraine in 2022, the European Commission (EC) published the REPowerEU Plan (EC, 2022). The Plan is aimed at ending the EU's dependence on Russian fossil fuels, tackling the climate crisis, and bringing about energy savings, diversifying energy supplies and accelerating the roll out of renewable energy. The Plan recognises the need to scale up and speed up the roll out of renewable energy projects. As noted in section 2.2.3, the Plan increases the headline 2030 EU renewable energy target from 42.5% to 45%.

## 2.3 Relevant National Planning and Development Policy

### 2.3.1 Overview

2.3.1.1 In this section, key national planning and development policies are set out in the first instance. In addition, Table 2.1 lists the other relevant national policy documents that are applicable to the Proposed Development and provides a brief comment on their relevance.

### 2.3.2 Project Ireland 2040 - National Planning Framework

2.3.2.1 Project Ireland 2040 - National Planning Framework (NPF), published in July 2018, is the primary articulation of spatial, planning and land use policy in Ireland. The purpose of the framework is to guide the sustainable growth of the country over the next 20+ years. The framework aims to direct new development toward areas of existing settlement, rather than allowing the continual expansion and sprawl of cities and towns. Section 7.2 of the NPF states that the maritime economy is a key enabler of effective regional development, especially in remote coastal communities.

2.3.2.2 Notably, the NPF contains a specific section (section 7.5) which is entirely focused on offshore renewable energy. It states that:

*"Ireland's territorial waters present major opportunities in the blue economy and offshore renewable energy sectors, which would support our transition to a zero carbon economy."*

*"The development of offshore renewable energy is critically dependent on the development of enabling infrastructure, including grid facilities to bring the energy ashore and connect to major sources of energy demand."*

2.3.2.3 Section 7.5 of the NPF includes the following as National Policy Objective 42:

*"To support, within the context of the Offshore Renewable Energy Development Plan (OREDPA) and its successors, the progressive development of Ireland's offshore renewable energy potential, including domestic and international grid connectivity enhancements."*

2.3.2.4 The implementation of the National Policy Objectives contained within the NPF are required to be further developed within the relevant Regional Spatial and Economic Strategies (section 2.4).

### 2.3.3 National Development Plan 2018 - 2027

2.3.3.1 The National Development Plan 2018 to 2027 (NDP) identifies strategic priorities for public capital investment in order to underpin the implementation of the NPF. It is a strategic priority of the NDP to have a new Renewable Electricity Support Scheme to support up to 4,500 Megawatt (MW) (i.e. 4.5 Gigawatt (GW)) of additional renewable electricity by 2030 (though it is worth noting that Ireland's onshore (4 GW), offshore (5 GW) and solar (8 GW) targets far exceed this target).

2.3.3.2 National Strategic Outcome 8 of the NDP is to transition to a low-carbon and climate-resilient society. To achieve this, the NDP recognises that Ireland's ambition must go further than a focus on achieving compliance with international commitments and recognises the importance of achieving a low-carbon, climate-resilient and environmentally sustainable economy and society.

## 2.3.4 National Marine Planning Framework

2.3.4.1 The National Marine Planning Framework (NMPF) was published in July 2021. It contains overarching marine planning policies that are applicable to all proposals within Ireland's extensive maritime area. The NMPF serves as a parallel to the National Planning Framework (section 2.3.2), as it sets out the Government's long-term planning objectives and priorities for the management of our seas over a 20-year time frame.

2.3.4.2 The main driver for the NMPF is the European Maritime Spatial Planning Directive (section 2.2.2). Public bodies are legally obliged to secure the objectives of the NMPF.

2.3.4.3 Section 13 of the NMPF relates to Offshore Renewable Energy and includes 11 planning policies, the following of which support ABWP2:

- ORE Policy 1 - Proposals that assist the State in meeting the Government's offshore renewable energy targets, including the target of achieving 5GW of capacity in offshore wind by 2030 and proposals that maximise the long-term shift from use of fossil fuels to renewable electricity energy, in line with decarbonisation targets, should be supported.
- ORE Policy 2 - Proposals must be consistent with national policy, including the OREDP and its successor. Relevant Projects designated pursuant to the Transition Protocol<sup>2</sup> and those Projects that can objectively enable delivery on the Government's 2030 targets will be prioritised for assessment under the new consenting regime.

2.3.4.4 In addition, the NMPF highlights the importance of co-existence and societal benefits of the marine area.

2.3.4.5 Annex 1 details the NMPF policy objectives and the Proposed Developments compliance with the relevant objectives.

## 2.3.5 Climate Action Plan 2024

2.3.5.1 The Climate Action Plan 2024 (CAP24) is the third annual update to the Climate Action Plan 2019 and was prepared by the Department of the Environment, Climate and Communications in order to tackle climate breakdown. Building on the previous year's CAP23, it is the second plan to be prepared under the Climate Action and Low Carbon Development (Amendment) Act 2021. CAP24 builds upon the previous plan by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings. CAP24 reiterates the sentiments of the CAP23, which recognises that Ireland must significantly step up its commitments to tackle climate disruption. CAP24 pledges full and early implementation of existing policy commitments by 2030, including a target for 80% of electricity to come from renewable energy sources by 2030, with a target of at least 5 GW of offshore renewable

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<sup>2</sup> The Transition Protocol, published alongside the General Scheme of the MPDM (as the Maritime Area Planning Act 2021 was then titled) in January 2020, provides guidance to the sector regarding the treatment of certain offshore wind projects ("Relevant Projects") in the context of the Maritime Area Planning Act 2021. The Protocol governs the approach for these projects and enables them to transition to the regime that was developed under the Maritime Area Planning (MAP) Act. ABWP2 was included as a Relevant Project under the Transition Protocol.

energy. CAP23 noted that the scale of Ireland's offshore renewable opportunity has been estimated to be 70 GW.

2.3.5.2 CAP24 aims to deliver on the roadmap for renewables set out in CAP23, which includes actions to be implemented for offshore renewables including:

- The development of a system-wide plan for the delivery of Offshore Renewable Wind (ORE in Ireland by the Offshore Wind Delivery Taskforce).

2.3.5.3 The Department commits to updating the plan every 12 months in a manner that is underpinned by consultation with key stakeholders. Updates to the plan will be informed, inter alia, by corrective actions that may be needed to stay on track toward the overall 2030 targets and the ultimate objective of achieving a transition to a competitive, low-carbon, climate-resilient, and environmentally sustainable society, and economy by 2050.

2.3.5.4 The CAP23 forth progress report (Q4 2023) is the latest and final published CAP23 progress report, published in March 2024. It reported a implementation rate of 60%, with 96 of the 161 Q4 actions completed on time. Section 4 – Electricity, of the progress report states that renewables accounted for 38.6% of electricity generation in 2022, whilst energy industries (primarily power generation) accounted for 14.4% of national emissions in 2022. There have now been four progress reports produced under Climate Action Plan 2023 (CAP23). A delivery rate of 97% was reported for Q1 2023, a delivery rate of 84% was reported for Q2 2023, a delivery rate of 33% for Q3 2023, and a delivery rate of 60% was reported for Q4 2023. Combined, this gives an overall implementation rate of 65% on CAP23 to date.

## 2.3.6 The National Energy and Climate Plan (NECP) 2021 - 2030

2.3.6.1 The National Energy and Climate Plan (NECP) 2021 - 2030 highlights the importance of increasing and diversifying the indigenous production of clean energy sources, in particular the development of large offshore wind projects. Ireland's NECP emphasises that Ireland has one of the best offshore renewable energy resources in the world with a sea area of 900,000 square kilometres which is approximately 10 times the size of the Irish landmass.

## 2.3.7 Other relevant national policy documents

**Table 2.1: Other relevant national policy documents**

Policy Document	Year published	Comments
Offshore Renewable Energy Development Plan I (OREDPI)	2014	Published in 2014, Ireland's first Offshore Renewable Energy Development Plan (OREDPI) provided a framework for the sustainable development of Ireland's ORE resources, setting out key principles, policy actions and enablers for delivery of Ireland's significant potential in this area. The OREDPI is currently guiding the State's policy approach to achieving 5GW of ORE by 2030, mostly through fixed-bottom wind turbines in relatively shallow waters of up to 70 metres off the east and southeast coasts.
Ireland's Transition to a Low Carbon Energy Future 2015-2030 (The Energy White Paper)	2015	The Energy White Paper sets out a framework to guide policy up to 2030;

		<p>It sets out a framework for transforming Ireland's fossil fuel-based energy sector into a clean, low carbon system by 2050. It recognises that Ireland's seas offer significant potential for offshore wind.</p>
Offshore Renewable Energy Development Plan I (OREDP I), Interim Review	2018	<p>OREDP I identifies the opportunity for the sustainable development of Ireland's abundant offshore renewable energy resources. It sets out the clear principles, policy actions and enablers for the delivery of Ireland's potential in offshore renewable energy. Action 10 of the OREDP I recommends the support of early mover projects to stimulate the supply chain and act as a clear signal that Ireland is open for business.</p>
Draft Second Offshore Renewable Energy Development Plan (OREDP II)	2023	<p>The Draft OREDP II sets out Ireland's new spatial strategy for offshore renewable energy. OREDP II will present a high-level framework for the long term planned development of offshore wind, wave and tidal energy resources and provide guidance as to where these activities will be developed in the future.</p>
Shaping our Electricity Future (Version 1.1)	2022	<p>Shaping our Electricity Future presents a Roadmap of how Ireland can make the electricity grid ready so that 80% of Ireland's and Northern Ireland's electricity can come from renewable sources by 2030.</p>

## 2.4 Relevant Regional Planning and Development Policy

### 2.4.1 Regional Spatial and Economic Strategy - Eastern Midlands Regional Assembly

2.4.1.1 The Regional Spatial and Economic Strategy (RSES) for the Eastern and Midlands Regional Assembly (EMRA) was published in June 2019. The RSES is a strategic plan and investment framework to shape the future development of the region to 2031 and beyond. The EMRA includes Co. Wicklow in addition to eight other counties. Prepared in accordance with the NPF, the RSES sets the context for each local authority within the region to develop county and city development plans in a manner that will ensure national, regional, and local plans align.

2.4.1.2 The RSES for EMRA promotes decarbonising the energy sector and generating electricity from indigenous renewable sources including offshore wind. Regional Policy Objective (RPO) 10.24 of the RSES for EMRA is to:

*"Support the sustainable development of Ireland's offshore renewable energy resources in accordance with the Department of Communications, Energy and Natural Resources 'Offshore Renewable Energy Development Plan' and any successor thereof including any associated domestic and international grid connection enhancements."*

## 2.5 Relevant Local Planning and Development Policy

### 2.5.1 Wicklow County Development Plan 2022 - 2028

2.5.1.1 The Wicklow County Development Plan 2022-2028 sets out the overall strategy for the planning and sustainable development of the County for the plan period and beyond. The plan relates to the whole functional area of Wicklow County Council. There are five municipal districts, of which Arklow is one.

2.5.1.2 The Wicklow County Development Plan 2022 - 2028 includes the following objectives:

- Wind Energy Objective County Policy Objective (CPO) 16.05:

To encourage the development of wind energy in accordance with the County Wicklow Wind Energy Strategy and in particular to allow wind energy exploitation in most locations in the County subject to:

*"consideration of any designated nature conservation areas (SACs, NHAs, SPAs, SAAOs etc) and any associated buffers;*

*consideration of collision risk species (bird and bats);*

*impacts on Wicklow's landscape designations;*

*particular cognisance and regard being taken of the impact on wind turbines on residential amenity particularly with respect to noise and shadow flicker;*

*impacts on visual and recreational amenity;*

*impacts on 'material assets' such as towns, infrastructure and heritage sites;*

*consideration of land cover and land uses on or adjacent to the site;*

*best practice in the design and siting of wind turbines, and all ancillary works including access roads and overhead cables".*

- Wind Energy Objective 16.06:

*"To facilitate and support the development of off-shore wind energy projects insofar as onshore facilities such as substations/connections to the grid may be required and the development of Operations and Maintenance (O&M) bases as may be required".*

- Wind Energy Objective 16.07:

*"To support community-based wind energy projects".*

## 2.5.2 Wicklow County Council Climate Change Adaptation Strategy (2019)

2.5.2.1 This strategy demonstrates that Wicklow County Council is fully committed to tackling climate change in order to contribute to regional and national climate action objectives. The strategy examines the future impacts and risks that climate change may have on the County and sets out actions that are designed to reduce the County's vulnerability to the effects of climate change and promotes use of sustainable energy sources.

2.5.2.2 The strategy identifies that:

*"Wicklow has a growing renewable energy sector with wind energy production both onshore and offshore... Plans to extend the offshore capacity will result in County Wicklow being an important contributor into the national grid. The electricity supply network servicing the county and crossing the county is also a key asset."*

## 2.5.3 Wicklow Local Economic and Community Plan 2016 - 2022

2.5.3.1 The Wicklow Local Economic and Community Plan 2016 to 2022 is a six year plan containing objectives and actions to promote and support economic development and local and community development in Co. Wicklow.

2.5.3.2 The plan includes a number of objectives including Objective 9.1 which states:

*"Support the development of renewable energy and a low energy future for Wicklow."*

2.5.3.3 Each objective is accompanied by a number of supporting actions, through which the high level goals will be achieved. For Objective 9.1 these include:

*"ii. Support the promotion and development of the renewable energy sector and explore funding opportunities for the sector; and*

*vi. Establish an offshore energy task force to co-ordinate the strategy actions required and to evaluate the infrastructure requirements needed in the County to support the expansion of the offshore renewable energy sector."*

## 2.5.4 Arklow and Environs Local Area Plan 2018 -2024

2.5.4.1 The Arklow and Environs Local Area Plan 2018 to 2024 acknowledges the benefits that the maritime sector, including offshore renewable energy, brings to the area and acknowledges that Wicklow County Council support the identification and realisation of economic opportunities within this sector.

## 2.6 Legislative context

2.6.1.1 The following sections summarise the key legislative requirements relating to the EIA and AA of the Proposed Development.

## 2.6.2 National Legislation

### Maritime Area Planning Act (MAP) 2021

- 2.6.2.1 In 2021, the Irish Marine Planning regime was overhauled through new legislation, the Maritime Area Planning Act 2021 as amended (MAP Act). The MAP Act established a new State consent regime, the Maritime Area Consent (MAC) and planning process for offshore wind projects.
- 2.6.2.2 Granting of a MAC is the first step within the new planning process for offshore wind developments, essentially acting as the 'gateway' to the planning process.
- 2.6.2.3 Recognising that a number of Irish Offshore Renewable Energy projects were at an advanced stage of the planning process (under the previous foreshore regime), the Minister for the Environment, Climate and Communications enabled these projects to transition to the MAP Act process through the granting of MACs. These projects known as 'relevant projects' are the first phase of offshore renewable energy projects in Ireland seeking consent.
- 2.6.2.4 Arklow Bank Wind Park 2 (ABWP2) was granted a MAC in December 2022 and is now proceeding through the planning process. This planning application will be subject to assessment and determination by An Bord Pleanála (ABP).

### Climate Action and Low Carbon Development (amendment) Act 2021

- 2.6.2.5 In July 2021, Ireland enacted the Climate Action and Low Carbon Development (Amendment) Act. The Act binds Ireland to achieve net zero emissions by 2050 and commits to achieving 51% reduction in GHG emissions by 2030.
- 2.6.2.6 It also provides for a governance framework including a new system of sectoral emissions ceilings and carbon budgets. The electricity sector needs to achieve a 75% reduction in emissions by 2030 in comparison to 2018 levels. The sectoral emissions ceiling for the electricity sector in 2030 is 3 MtCO<sub>2</sub>eq. This is the most ambitious sectoral carbon budget. It is critical that large-scale offshore wind projects are facilitated if Ireland is to meet this target.

### Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended)

- 2.6.2.7 The Planning and Development Act 2000 (as amended) establishes the foundation for planning in Ireland and combines a wide range of legislation relating to different sectors in one place. The Act sets out the process for applying for and attaining planning permission which includes the requirements for an Environmental Impact Assessment (EIA).
- 2.6.2.8 The main regulations that underpin the Act are the Planning and Development Regulations 2001 (S.I. No. 600 of 2001). The Regulations have been amended and are collectively called the Planning and Development Regulations 2001 to 2023.

## 2.7 Environmental Impact Assessment

### 2.7.1 European Legislation

#### The EIA Directive

- 2.7.1.1 EIA requirements are derived from Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment as amended by Directive 2014/52/EU of the European Parliament and of the Council (EIA Directive)). The EIA Directive requires that certain projects that are likely to have significant effects on the environment be made subject to an assessment prior to development consent being given.

- 2.7.1.2 Article 4 of the EIA Directive makes provision for environmental impact assessments in respect of certain Projects listed in Annexes I and II of that Directive. Annex I of the EIA Directive lists developments for which EIA is mandatory and Annex II lists Projects which require a determination as to whether an environmental impact assessment is required. Member States shall make that determination through a case-by-case examination or thresholds or criteria set by the Member State. Where a case-by-case examination is carried out, or thresholds or criteria are set for the purpose of Article 4 paragraph 2 of the EIA Directive, the relevant selection criteria set out in Annex III shall be taken into account.
- 2.7.1.3 Paragraph 3(i), Annex II includes:  
*"Installations for the harnessing of wind power for energy production (windfarms)."*
- 2.7.1.4 The EIA Directive is given effect in Ireland through the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended).
- 2.7.1.5 Under Part 2, Schedule 5 of the Planning and Development Regulations 2001 (as amended), *"Installations for the harnessing of wind power for energy production (windfarms) with more than 5 turbines or having a total output greater than 5 megawatts"* are mandated to carry out an EIA. The Proposed Development therefore requires a mandatory EIA. The Developer is submitting an EIAR as part of the Application in order to comply with all relevant legal obligations.

## 2.8 Appropriate Assessment

### 2.8.1 European Legislation

#### The Habitats Directive

- 2.8.1.1 The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora ('the Habitats Directive') provides legal protection for habitats and species of European importance. The Directive requires all Member States to designate, protect and manage core areas for habitat types listed in Annex I and species listed in Annex II. Member states must also establish strict protection of species listed in Annex IV.

#### The Birds Directive

- 2.8.1.2 The Council Directive 79/409/EEC on the conservation of wild birds ('the Birds Directive') provides legal protection for all wild birds and threatened species and sub species listed in Annex I of the Directive through the designation of Special Protection Areas (SPAs).

### 2.8.2 National Legislation

#### Planning and Development Act 2000 and the Habitats Regulations 2011

- 2.8.2.1 The Habitats and Birds Directives have been transposed into Irish law by Part XAB of the Planning and Development Act, 2000 (as amended) and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. 477/2011) as amended ('the Habitats Regulations'). An Appropriate Assessment (AA) is a separate but inter-related process to EIA, required under the Habitats Directive for any plan or project likely to have a significant effect on a European Site. The AA will be undertaken by the 'competent authority' An Bord Pleanála, informed by a Natura Impact Statement (NIS).

## 2.9 Appropriate Assessment Guidelines

- 2.9.1.1 The Department of Environment, Heritage and Local Government published Appropriate Assessment Guidelines for Planning Authorities (2010). In addition to this advice, the Volume II, Chapter 2, Policy and Legislation

European Commission has published a number of documents which provide a significant body of guidance on the requirements of AA, including, 'Assessment of Plans and Projects Significantly Affecting Natura 2000 sites - Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (EC, 2001) and 'Managing Natura 2000 sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC' (EC, 2019), which set out the principles of how to approach decision making during the process. Other pertinent guidance documents are identified in the NIS.

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## 2.10 References

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Wicklow County Council (2019) Wicklow County Council Climate Change Adaption Strategy

Wicklow County Council (2022) Wicklow County Development Plan 2022-2028.

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# **Annex 1 – The Proposed Development’s compliance with the National Marine Planning Framework (NMPF)**

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Policy Point	Description	Applicability to the Proposed Development and Compliance
<p><b>Environmental – Ocean Health Policy 1</b></p>	<p>Compliance with NMPF policies relating to:</p> <ul style="list-style-type: none"> <li>• Biodiversity</li> <li>• Non-Indigenous Species</li> <li>• Water Quality</li> <li>• Sea-floor and Water Column Integrity</li> <li>• Marine litter</li> <li>• Underwater Noise</li> </ul> <p>should include demonstration of contribution to the relevant MSFD targets identified.</p>	<p>Compliance with NMPF policies has been embedded into the design of the Proposed Development in so far as possible. In order to minimise significant adverse impacts on receptors, alternative locations and designs for the Proposed Development were considered and these are presented in Volume II, Chapter 3 Consideration of Alternatives. Where this has not been possible, additional mitigation and monitoring measures are proposed in order to comply with certain NMPF policies.</p> <p>The MSFD targets are of relevance to and have been considered in the following chapters of the EIAR:</p> <ul style="list-style-type: none"> <li>• Biodiversity targets (including food webs and sea-floor integrity) are addressed in the following chapters: Volume II, Chapters 6 Coastal Processes, 7 Marine Water and Sediment Quality, 9 Benthic Subtidal and Intertidal Ecology, 10 Fish and Shellfish, 11 Marine Mammals, 12 Offshore Ornithology and 13 Offshore Bats. No significant effects have been concluded in the EIAR for the relevant biodiversity targets.</li> <li>• Commercial fish &amp; shellfish targets are addressed in Volume II, Chapter 14 Commercial Fisheries and Aquaculture. No significant effects have been concluded in the EIAR for the relevant commercial fish and shellfish targets.</li> <li>• Eutrophication targets are addressed in the following chapter: Volume II, Chapter 7 Marine Water and Sediment Quality. No source-receptor-pathways are identified for a deterioration of dissolved oxygen, phytoplankton blooms or eutrophication, as a result of the proposed construction activities.</li> <li>• Contaminants targets are addressed in the following chapter: Volume II, Chapter 7, Marine Water and Sediment Quality. No significant effects have been concluded in the EIAR for the relevant contaminant's targets.</li> <li>• In respect of Marine Litter targets a Resource and Waste Management Plan has been submitted with the Application (Volume III, Appendix 25.1 Annex 4).</li> <li>• Non-indigenous species targets are addressed in the following chapter: Volume II, Chapters 9 Benthic Subtidal and Intertidal Ecology. An Invasive Non-Indigenous Species Management Plan has been submitted with the Application (Volume III, Appendix 25.4). No significant effects have been concluded in the EIAR for the relevant Non-indigenous species targets.</li> <li>• Hydrographical conditions targets are addressed in the following Chapters of the EIAR: Volume II, Chapters 6 Coastal Processes and 7 Marine Water and Sediment Quality. No significant effects have been concluded in the EIAR for the relevant hydrographical condition's targets.</li> <li>• Energy (including underwater noise) targets have been addressed in the following chapters of the EIAR: Volume II, Chapters 9 Benthic Subtidal and Intertidal Ecology, 10 Fish, Shellfish and Sea Turtle Ecology and 11 Marine Mammals. An Underwater Noise Assessment Report has also been submitted with the Application (Volume III, Appendix 11.1). No significant effects have been concluded in the EIAR for the relevant energy targets.</li> </ul>
<p><b>Biodiversity Policy 1</b></p>	<p>Proposals incorporating features that enhance or facilitate species adaptation or migration, or natural native habitat connectivity will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals that may have significant adverse impacts on species adaptation or migration, or on natural native habitat connectivity must demonstrate that they will, in order of preference and in accordance with legal requirements:</p> <ol style="list-style-type: none"> <li>a) avoid,</li> <li>b) minimise, or</li> <li>c) mitigate</li> </ol> <p>significant adverse impacts on species adaptation or migration, or on natural native habitat connectivity.</p>	<p>An EIAR has been submitted with the Application for the Proposed Development. This assesses potential significant adverse impacts on species adaptation or migrations, or on natural habitat connectivity in Volume II, Chapters 6 Coastal Processes, 7 Marine Water and Sediment Quality, 9 Benthic, Subtidal and Intertidal Ecology, 10 Fish, Shellfish and Sea Turtle Ecology, 11 Marine Mammals, 12 Offshore Ornithology and 13 Offshore Bats.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of these Factored-in measures can be found in Volume II, Chapter 25: Factored -In Measures, Mitigation and Monitoring. In order to minimise significant adverse impacts on receptors, alternative locations and designs for the Proposed Development were considered and these are presented in Volume II, Chapter 3 Consideration of Alternatives.</p> <p>While it has been concluded that there are not expected to be significant effects to migrating bats, the assessment currently shows a potential significant effect from collision and barotrauma to foraging bat species within the Array Area during the operational and maintenance phase with no proposed mitigation. This conclusion is however, based on a highly precautionary approach and the assumption that the ecological conditions within the Array Area once construction of the Wind Turbine Generators (WTGs) is complete will change significantly to what is being assessed as the baseline and bat activity recorded during pre-construction surveys may not reflect activity levels post-construction. Therefore, understanding bat activity around</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
		<p>operational WTGs and quantifying mortality is essential in determining whether the Proposed Development gives rise to a significant effect to foraging bats and whether mitigation is required and/or effective. Factored-in measures such as fewer turbines than originally considered and lower blade tip height above lowest astronomical tide (LAT) will reduce the likelihood of impacts.</p> <p>It is unlikely the population abundance of the species will be adversely affected due to the Proposed Development, such that the populations long-term viability is ensured. The Proposed Development is also committed to participating in the 'East Coast Monitoring Group' (ECMG), to discuss and agree potential strategic monitoring initiatives in relation to offshore bats.</p> <p>In light of the conclusions of the EIAR for all other biodiversity related topics (excluding Bats) no additional 'paragraph (c)' mitigation is required in relation to impacts on species adaptation or migration or natural native habitat connectivity. Potential adverse impacts on species adaptation or migration, or on natural native habitat connectivity have been avoided.</p> <p>A Natura Impact Statement (NIS) has been submitted with the Application for the Proposed Development. The NIS concludes that there will be no adverse effects on the integrity of European sites.</p> <p>The Proposed Development therefore complies with Biodiversity Policy 1.</p>
<p><b>Biodiversity Policy 2</b></p>	<p>Proposals that protect, maintain, restore and enhance the distribution and net extent of important habitats and distribution of important species will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals must avoid significant reduction in the distribution and net extent of important habitats and other habitats that important species depend on, including avoidance of activity that may result in disturbance or displacement of habitats.</p>	<p>An EIAR has been submitted with the Application for the Proposed Development. This assesses potential significant disturbance or displacement of habitats in Volume II, Chapters 6 Coastal Processes, 7 Marine Water and Sediment Quality, 9 Benthic, Subtidal and Intertidal Ecology, 10 Fish, Shellfish and Sea Turtle Ecology, 11 Marine Mammals and 12 Offshore Ornithology.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-In measures can be found in Volume II, Chapter 25: Factored in Measures, Mitigation and Monitoring. In order to minimise significant adverse impacts on receptors. alternative locations and designs for the Proposed Development were considered and these are presented in Volume II, Chapter 3 Consideration of Alternatives.</p> <p>In light of the conclusions of the EIAR, the Proposed Development will avoid significant reduction in the distribution and net extent of important habitats and other habitats that important species depend on, including avoidance of activity that may result in disturbance or displacement of habitats.</p>
<p><b>Biodiversity Policy 3</b></p>	<p>Where marine or coastal natural capital assets are recognised by Government: Proposals must seek to enhance marine or coastal natural capital assets where possible. Proposals must demonstrate that they will in order of preference, and in accordance with legal requirements:</p> <ul style="list-style-type: none"> <li>a) avoid,</li> <li>b) minimise, or</li> <li>c) mitigate significant adverse impacts on marine or coastal natural capital assets,</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>d) if it is not possible to mitigate significant adverse impacts on marine or coastal natural capital assets proposals must set out the reasons for proceeding.</li> </ul>	<p>An EIAR has been submitted with the Application for the Proposed Development. This assesses potential significant adverse impacts on marine or coastal natural capital assets in Volume II, Chapters 6 Coastal Processes, 7 Marine Water and Sediment Quality, 9 Benthic, Subtidal and Intertidal Ecology, 10 Fish, Shellfish and Sea Turtle Ecology, 11 Marine Mammals and 12 Offshore Ornithology.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-In measures can be found in Volume II, Chapter 25: Factored in Measures, Mitigation and Monitoring. In order to minimise significant adverse impacts on receptors. alternative locations and designs for the Proposed Development were considered and these are presented in Volume II, Chapter 3 Consideration of Alternatives.</p> <p>In light of the conclusions of the EIAR, no 'paragraph (c)' mitigation is required in relation to impacts on marine or coastal natural capital assets. Potential significant adverse impacts on marine or coastal natural capital assets have been avoided.</p> <p>The Proposed Development therefore complies with Biodiversity Policy 3.</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
<p><b>Biodiversity Policy 4</b></p>	<p>Proposals must demonstrate that they will, in order of preference and in accordance with legal requirements:</p> <ul style="list-style-type: none"> <li>a) avoid,</li> <li>b) minimise, or</li> <li>c) mitigate</li> </ul> <p>significant disturbance to, or displacement of, highly mobile species.</p>	<p>An EIAR has been submitted with the Application for the Proposed Development. This assesses disturbance to or displacement of highly mobile species in Volume II, Chapters 10 Fish, Shellfish and Sea Turtle Ecology, 11 Marine Mammals, 12 Offshore Ornithology and 13 Offshore Bats.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-In measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring. In order to minimise significant adverse impacts on receptors, alternative locations and designs for the Proposed Development were considered and these are presented in Volume II, Chapter 3 Consideration of Alternatives.</p> <p>While it has been concluded that there are not expected to be significant effects to migrating bats, the assessment currently shows a potential significant effect from collision and barotrauma to foraging bat species within the Array Area during the operational and maintenance phase with no proposed mitigation. This conclusion is however, based on a highly precautionary approach and the assumption that the ecological conditions within the Array Area once construction of the Wind Turbine Generators (WTGs) is complete will change significantly to what is being assessed as the baseline and bat activity recorded during pre-construction surveys may not reflect activity levels post-construction. Therefore, understanding bat activity around operational WTGs and quantifying mortality is essential in determining whether the Proposed Development gives rise to a significant effect to foraging bats and whether mitigation is required and/or effective. Factored-in measures such as fewer turbines than originally considered and lower blade tip height above lowest astronomical tide (LAT) will reduce the likelihood of impacts.</p> <p>It is unlikely the population abundance of the species will be adversely affected due to the Proposed Development, such that the populations long-term viability is ensured. The Proposed Development is also committed to participating in the 'East Coast Monitoring Group' (ECMG), to discuss and agree potential strategic monitoring initiatives in relation to offshore bats.</p> <p>In light of the conclusions of the EIAR, no 'paragraph (c)' mitigation is required in relation to disturbance or displacement of highly mobile species. Potential significant disturbance to, or displacement of, highly mobile species, have been avoided.</p> <p>An NIS has been submitted with the Application for the Proposed Development. The NIS concludes that there will be no adverse effects on the integrity of European sites and therefore no adverse effects on any highly mobile species supported by such European sites.</p> <p>The Proposed Development therefore complies with Biodiversity Policy 4.</p>
<p><b>Protected Marine Sites Policy 1</b></p>	<p>Proposals must demonstrate that they can be implemented without adverse effects on the integrity of Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). Where adverse effects from proposals remain following mitigation, in line with Habitats Directive Article 6(3), consent for the proposals cannot be granted unless the prerequisites set by Article 6(4) are met.</p>	<p>An EIAR has been submitted with the Application for the Proposed Development. SACs and SPAs have been considered in Volume II, Chapters 6 Coastal Processes, 7 Marine Water and Sediment Quality, 9 Benthic, Subtidal and Intertidal Ecology, 10 Fish, Shellfish and Sea Turtle Ecology, 11 Marine Mammals and 12 Offshore Ornithology.</p> <p>In addition to above, an NIS has been submitted with the Application for the Proposed Development. The NIS concludes that following the implementation of impact avoidance and the application of mitigation, there will be no adverse effects on the integrity of European sites.</p> <p>The Proposed Development complies with Protected Marine Sites Policy 1.</p>
<p><b>Protected Marine Sites Policy 2</b></p>	<p>Proposals supporting the objectives of protected marine sites should be supported and:</p> <ul style="list-style-type: none"> <li>be informed by appropriate guidance</li> </ul> <p>must demonstrate that they are in accordance with legal requirements, including statutory advice</p>	<p>An NIS has been submitted with the Application for the Proposed Development. The NIS has been informed by appropriate guidance and demonstrates accordance with legal requirements, including statutory advice provided by authorities relevant to protected marine sites.</p> <p>The Proposed Development complies with Protected Marine Sites Policy 2.</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
	provided by authorities relevant to protected marine sites	
<b>Protected Marine Sites Policy 3</b>	Proposals that enhance a protected marine site's ability to adapt to climate change, enhancing the resilience of the protected site, should be supported and: be informed by appropriate guidance must demonstrate that they are in accordance with legal requirements, including statutory advice provided by authorities relevant to protected marine sites.	The Proposed Development is an offshore wind farm and is not located in a protected marine site. Although this policy is not directly applicable to the Proposed Development, it will make a significant contribution to the Government's target of achieving at least 5GW of offshore wind by 2030. The Proposed Development will contribute to reducing emissions from fossil fuels resulting in a positive impact on climate change and therefore a positive indirect impact on protected sites.  The Proposed Development complies with Protected Marine Sites Policy 3.
<b>Protected Marine Sites Policy 4</b>	Until the ecological coherence of the network of protected marine sites is examined and understood, proposals should identify, by review of best available evidence (including consultation with the competent authority with responsibility for designating such areas as required), the features, under consideration at the time the application is made, that may be required to develop and further establish the network. Based upon identified features that may be required to develop and further establish the network, proposals should demonstrate that they will, in order of preference, and in accordance with legal requirements: a) avoid, b) minimise, or c) mitigate significant impacts on features that may be required to develop and further establish the network, or d) if it is not possible to mitigate significant impacts, proposals should set out the reasons for proceeding	An NIS has been submitted with the Application for the Proposed Development. The NIS concludes that there will be no adverse effects on the integrity of European sites.  The Developer has engaged with National Parks and Wildlife Service (the competent authority for the designation and management of protected sites) over the course of the Application.  Environmental data contained in the Government's Ecological Sensitivity Analysis of Irish Sea has also been reviewed within the EIAR.  The Proposed Development is not located within a protected site. All SACs, SPAs and candidate sites as of May 2024 have been assessed in the NIS.  In light of the conclusions of the EIAR no 'paragraph (c)'mitigation is required in respect of the Proposed Development. Potential adverse impacts on features that may be required to develop and further establish the network connectivity have been avoided. The Proposed Development therefore complies with Protected Marine Sites Policy 4.
<b>Non-Indigenous Species Policy 1</b>	Reducing the risk of the introduction and / or spread of non-indigenous species is a requirement of all proposals. Proposals must demonstrate a risk management approach to prevent the introduction of and / or spread of non-indigenous species, particularly when: a) moving equipment, boats or livestock (for example fish or shellfish) from one water body to another, b) introducing structures suitable for settlement of non-indigenous species, or the spread of non-indigenous species known to exist in the area of the proposal.	The EIAR has assessed the risk of introduction and spread of invasive and non-native species (Volume II, Chapter 9 Benthic, Subtidal and Intertidal Ecology).  A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 2:5 Factored-In Measures, Mitigation and Monitoring.  An Invasive Non-Indigenous Species Management Plan has been submitted with the Application for the Proposed Development (Volume III, Appendix 25.4).  As demonstrated in the EIAR, the Proposed Development will demonstrate a risk management approach to prevent the introduction and or/spread of non-indigenous species.  The Proposed Development complies with Non-Indigenous Species Policy 1.
<b>Water Quality Policy 1</b>	Proposals that may have significant adverse impacts upon water quality, including upon habitats and species beneficial to water quality, must demonstrate that they will, in order of preference and in accordance with legal requirements: a) avoid,	The EIAR has assessed potential significant adverse effects on water quality (Volume II, Chapter 7 Marine Water and Sediment Quality, Volume III, Appendix 7.1 Water Framework Directive).  A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed

Policy Point	Description	Applicability to the Proposed Development and Compliance
	<ul style="list-style-type: none"> <li>b) minimise, or</li> <li>c) mitigate significant adverse impacts</li> </ul>	<p>Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring.</p> <p>In light of the conclusions of the EIAR, no 'paragraph (c)' mitigation is required in respect of the Proposed Development. Potential adverse impacts on water quality and the habitats and species beneficial to water quality have been avoided.</p> <p>The Proposed Development therefore complies with Water Quality Policy 1.</p>
<b>Water Quality Policy 2</b>	Proposals delivering improvements to water quality, or enhancing habitats and species, which can be of benefit to water quality, should be supported.	The Proposed Development is an offshore wind farm, this policy is therefore not of relevance to this Application.
<b>Sea-floor and Water Column Integrity Policy 1</b>	<p>Proposals that incorporate measures to support the resilience of marine habitats will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority and where they contribute to the policies and objectives of this NMPF. Proposals which may have significant adverse impacts on marine, particularly deep sea, habitats must demonstrate that they will, in order of preference and in accordance with legal requirements:</p> <ul style="list-style-type: none"> <li>a) avoid,</li> <li>b) minimise, or</li> <li>c) mitigate significant adverse impacts on marine habitats,</li> <li>or</li> <li>d) if it is not possible to mitigate significant adverse impacts on marine habitats must set out the reasons for proceeding.</li> </ul>	<p>The EIAR has assessed potential significant adverse effects marine habitats (Volume II, Chapters 6 Coastal Processes, 9 Benthic, Subtidal and Intertidal Ecology and 10 Fish, Shellfish and Sea Turtle Ecology).</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring. In order to minimise significant adverse impacts on receptors. alternative locations and designs for the Proposed Development were considered and these are presented in Volume II, Chapter 3 Consideration of Alternatives.</p> <p>In light of the conclusions of the EIAR, no 'paragraph (c)' mitigation is required in respect of the Proposed Development. Potential adverse impacts on marine habitats been avoided.</p> <p>The Proposed Development therefore complies with Sea-floor and Water Column Integrity Policy 1.</p>
<b>Sea-floor and Water Column Integrity Policy 2</b>	<p>Proposals, including those that increase access to the maritime area, must demonstrate that they will, in order of preference and in accordance with legal requirements:</p> <ul style="list-style-type: none"> <li>a) avoid,</li> <li>b) minimise, or</li> <li>c) mitigate</li> </ul> <p>adverse impacts on important habitats and species.</p>	<p>The EIAR has assessed potential adverse impacts on important habitats and species in Volume II, Chapters 6 Coastal Processes, 9 Benthic, Subtidal and Intertidal Ecology , 10 Fish, Shellfish and Sea Turtle Ecology, 11 Marine Mammals and 12 Offshore Ornithology.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring. In order to minimise significant adverse impacts on receptors. alternative locations and designs for the Proposed Development were considered and these are presented in Volume II, Chapter 3 Consideration of Alternatives</p> <p>In light of the conclusions of the EIAR, no 'paragraph (c)' mitigation is required in respect of the Proposed Development. Potential adverse impacts on important habitats and species have been avoided.</p> <p>The Proposed Development therefore complies with Sea-floor and Water Column Integrity Policy 2.</p>
<b>Sea-floor and Water Column Integrity Policy 3</b>	Proposals that protect, maintain, restore and enhance coastal habitats for ecosystem functioning and provision of ecosystem services will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals must take account of the space required for coastal habitats, for ecosystem functioning and provision of ecosystem services, and demonstrate that they will, in	<p>The EIAR has assessed loss of coastal habitat in Volume II, Chapter 6 Coastal Processes</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25 Factored in Measures, Mitigation and Monitoring. In order to minimise significant adverse impacts on receptors. alternative locations and designs for the Proposed Development were considered and these are presented in Volume II, Chapter 3 Consideration of Alternatives</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
	<p>order of preference and in accordance with legal requirements:</p> <ul style="list-style-type: none"> <li>a) avoid,</li> <li>b) minimise , or</li> <li>c) mitigate</li> </ul> <p>for net loss of coastal habitat.</p>	<p>In light of the conclusions of the EIAR, no 'paragraph (c)' mitigation is required in respect of the Proposed Development, net loss of coastal habitats has been avoided.</p> <p>The Proposed Development therefore complies with Sea-floor and Water Column Integrity Policy 3.</p>
<p><b>Marine Litter Policy 1</b></p>	<p>Proposals that facilitate waste re-use or recycling, or that reduce marine and coastal litter will be supported, where they contribute to the policies and objectives of this NMPF. Proposals that could potentially increase the amount of litter that is discharged into the maritime area, either intentionally or accidentally, must include measures (such as development of a waste management plan) to, in order of preference and in accordance with legal requirements:</p> <ul style="list-style-type: none"> <li>a) avoid,</li> <li>b) minimise, or</li> <li>c) mitigate</li> </ul> <p>the litter.</p> <p>Demonstration of these measures must provide satisfactory evidence that the proposal is able to manage all waste without creation of litter.</p>	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>In compliance with Marine Litter Policy 1, a Resource and Waste Management Plan has been submitted with the Application (Volume III, Appendix 25.1: Environmental Management Plan, Annex 4).</p> <p>The Resource and Waste Management Plan provides the information necessary to guide and support the compliant and efficient management of wastes associated with the Proposed Development. That information includes estimating the types and quantities of wastes to arise and establishing the controls and procedures that will be applied in managing the wastes in compliance with the relevant regulations, policy and guidance.</p> <p>The Proposed Development complies with Marine Litter Policy 1.</p>
<p><b>Underwater Noise Policy 1</b></p>	<p>Proposals must take account of spatial distribution, temporal extent, and levels of impulsive and / or continuous sound (underwater noise) that may be generated and the potential for significant adverse impacts on marine fauna.</p> <p>Where the potential for significant impact on marine fauna from underwater noise is identified, a Noise Assessment Statement must be prepared by the proposer of development. The findings of the Noise Assessment Statement should demonstrably inform determination(s) related to the activity proposed and the carrying out of the activity itself.</p> <p>The content of the Noise Assessment Statement should be relevant to the particular circumstances and must include:</p> <ul style="list-style-type: none"> <li>• Demonstration of compliance with applicable legal requirements, such as necessary assessment of proposals likely to have underwater noise implications, including but not limited to: <ul style="list-style-type: none"> <li>• Appropriate Assessment (AA);</li> <li>• Environmental Impact Assessment (EIA);</li> <li>• Strategic Environmental Assessment (SEA);</li> <li>• Specific response to 'strict protection' requirements of Article 12 of the Habitats Directive in relation to certain species listed in Annex IV of the Directive; and</li> <li>• Species protected under the Wildlife Acts.</li> </ul> </li> </ul>	<p>The EIAR has assessed the spatial distribution, temporal extent and levels of impulsive and/or continuous sound (underwater noise) in Volume II, Chapters 9 Benthic, Subtidal and Intertidal Ecology , 10 Fish, Shellfish and Sea Turtle Ecology and 11 Marine Mammals.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring.</p> <p>In light of the conclusions of the EIAR, no 'paragraph (c)' mitigation is required in respect of the Proposed Development. Potential adverse impacts on marine fauna due to the spatial distribution, temporal extent and levels of impulsive and/or continuous sound have been avoided. The Proposed Development therefore complies with Underwater Noise Policy 1.</p> <p>The assessment of the impact of the Proposed Development in the EIAR and NIS took account of spatial distribution, temporal extent, and levels of impulsive and / or continuous sound (underwater noise) that may be generated and the potential for significant adverse impacts on marine fauna. This included a Noise Assessment Statement (Volume III, Appendix 11.2) The assessments concluded that there will be no significant adverse effects from underwater noise. The Proposed Development therefore complies with Underwater Noise Policy 1.</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
	<ul style="list-style-type: none"> <li>An assessment of the potential impact of the development or use on the affected species in terms of environmental sustainability;</li> <li>Demonstration that significant adverse impacts on marine fauna resulting from underwater noise will, in order of preference and in accordance with legal requirements be:               <ol style="list-style-type: none"> <li>avoided,</li> <li>minimised, or</li> <li>mitigated, or</li> <li>if it is not possible to mitigate significant adverse impacts on marine fauna, the reasons for proceeding must be set out.</li> </ol> </li> </ul> <p>This policy should be included as part of statutory environmental assessments where such assessments require consideration of underwater noise.</p>	
<p><b>Air Quality Policy 1</b></p>	<p>Proposals that support a reduction in air pollution should be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals must demonstrate consideration of their contribution to air pollution, both direct and cumulative.</p>	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>Potential effects on air quality from the Proposed Development have been scoped out of the EIAR with the following justification:</p> <p>The assessment of potential impacts on air quality typically addresses the potential for impacts from dust and traffic/plant emissions on nearby sensitive receptors. As the Proposed Development relates to the construction of offshore infrastructure only there is no potential for dust impacts. Furthermore, due to the distance between the Array Area and the shore (minimum 6 km), any potential impacts that might arise from emissions associated with plant or marine vessels are unlikely to give rise to likely significant effects due to the dispersal of emissions. There is unlikely to be potential for significant air quality impacts during the operational and maintenance or decommissioning phases of the Proposed Development. Therefore, the assessment of potential effects on air quality are not included in the scope of the EIAR.</p> <p>The Proposed Development will make a significant contribution to the Government's target of achieving at least 5GW of offshore wind by 2030. The Proposed Development will contribute to reducing emissions from fossil fuels resulting in a positive impact indirect effect on air pollution.</p> <p>The Proposed Development complies with Air Quality Policy 1.</p>
<p><b>Air Quality Policy 2</b></p>	<p>Where proposals are likely to result in or facilitate an increase in air pollution, proposals should demonstrate that they will, in order of preference in accordance with legal requirements and standards:</p> <ol style="list-style-type: none"> <li>avoid,</li> <li>minimise, or</li> <li>mitigate air pollution.</li> </ol>	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>Potential effects on air quality from the Proposed Development have been scoped out of the EIAR with the following justification:</p> <p>The assessment of potential impacts on air quality typically addresses the potential for impacts from dust and traffic/plant emissions on nearby sensitive receptors. As the Proposed Development relates to the construction of offshore infrastructure only there is no potential for dust impacts. Furthermore, due to the distance between the Array Area and the shore (minimum 6 km), any potential impacts that might arise from emissions associated with plant or marine vessels are unlikely to give rise to likely significant effects due to the dispersal of emissions. There is unlikely to be potential for significant air quality impacts during the operational and maintenance or decommissioning phases of the Proposed Development. Therefore, the assessment of potential effects on air quality are not included in the scope of the EIAR.</p> <p>The Proposed Development will make a significant contribution to the Government's target of achieving at least 5GW of offshore wind by 2030. The Proposed Development will contribute to reducing emissions from fossil fuels resulting in a positive impact indirect effect on air pollution.</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
<b>Climate Change Policy 1</b>	<p>Proposals should demonstrate how they: avoid contribution to adverse changes to physical features of the coast; enhance, restore or recreate habitats that provide a flood defence or carbon sequestration ecosystem services where possible. Where potential significant adverse impacts upon habitats that provide a flood defence or carbon sequestration ecosystem services are identified, these must be in order of preference and in accordance with legal requirements:</p> <ol style="list-style-type: none"> <li>avoided,</li> <li>minimised,</li> <li>mitigated,</li> <li>if it is not possible to mitigate significant adverse impacts, the reasons for proceeding must be set out.</li> </ol> <p>This policy should be included as part of statutory environmental assessments where such assessments are required.</p>	<p>Air Quality Policy 2 is therefore not applicable to the Proposed Development.</p> <p>The EIAR has assessed adverse changes to physical features of the coast and habitats that provide a flood defence or carbon sequestration ecosystem service in Volume II, Chapters 6 Coastal Processes and 9 Benthic Subtidal and Intertidal Ecology.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring. In order to minimise significant adverse impacts on receptors, alternative locations and designs for the Proposed Development were considered and these are presented in Volume II, Chapter 3 Consideration of Alternatives</p> <p>In light of the conclusions of the EIAR, the Proposed Development will avoid contribution to adverse changes to physical features of the coast and habitats that provide a flood defence or carbon sequestration ecosystem service.</p> <p>The Proposed Development complies with Climate Change Policy 1.</p>
<b>Climate Change Policy 2</b>	<p>For the lifetime of the proposal, the following climate change matters must be demonstrated:</p> <ul style="list-style-type: none"> <li>estimation of likely generation of greenhouse gas emissions, both direct and indirect;</li> <li>measures to support reductions in greenhouse gas emissions where possible;</li> <li>likely impact of climate change effects upon the proposal from factors including but not limited to: sea level rise, ocean acidification, changing weather patterns;</li> <li>measures incorporated to enable adaptation climate change effects;</li> <li>likely impact upon climate change adaptation measures adopted in the coastal area relevant to the proposal and/or adaptation measures adopted by adjacent activities;</li> <li>where likely impact upon climate change adaptation measures in the coastal area relevant to the proposal and/or adaptation measures adopted by adjacent activities is identified, these impacts must be in order of preference and in accordance with legal requirements:             <ol style="list-style-type: none"> <li>avoided,</li> <li>minimised,</li> <li>mitigated,</li> <li>if it is not possible to mitigate significant adverse impacts, the reasons for proceeding must be set out.</li> </ol> </li> </ul>	<p>The contributions to and reduction of greenhouse gas emissions from the Proposed Development have been assessed in Volume II, Chapter 20 Air Quality and Climate.</p> <p>The Proposed Development is an offshore wind farm. Over its anticipated 36.5 year operational lifespan, the Proposed Development will result in a beneficial impact on greenhouse gas emissions. The Proposed Development will more than offset the emissions produced during construction and decommissioning. Based upon the predicted energy generation during its operational and maintenance phase, it will take the project approximately 71 - 74 months from the start of operation, to 'pay back' the predicted total carbon generation for construction, operation, and decommissioning. This is based upon the predicted Republic of Ireland grid intensity over the operational period. It would then deliver annual savings for each of the following years of operation.</p> <p>Predicted sea level rise has been factored into the design of the offshore infrastructure. Good engineering practice has been employed on the design, giving an appropriate safety margin where required (which will take into account increased storm frequency and intensity).</p> <p>The Proposed Development therefore complies with Climate Change Policy 2.</p>
<b>Co-existence Policy 1</b>	<p>Proposals should demonstrate that they have considered how to optimise the use of space, including through consideration of opportunities for co-existence and co-operation with other activities, enhancing other activities where appropriate. If proposals cannot avoid significant adverse impacts</p>	<p>The EIAR has assessed co-existence and co-operation with other activities in Volume II, 14 Commercial Fisheries, 15 Shipping &amp; Navigation, 16 Civil and Military Aviation, 19 Infrastructure and Other Users and 21 Population and Human Health.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
	<p>(including displacement) on other activities they must, in order of preference:</p> <ul style="list-style-type: none"> <li>a) minimise significant adverse impacts,</li> <li>b) mitigate significant adverse impacts, or</li> <li>c) if it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding.</li> </ul>	<p>Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring. In order to minimise significant adverse impacts on receptors, alternative locations and designs for the Proposed Development were considered and these are presented in Volume II, Chapter 3 Consideration of Alternatives.</p> <p>For Commercial Fisheries, specifically loss of grounds or restricted access to fishing grounds within the Cable Corridor and Working Area paragraph (b) mitigation has been applied in the form of cooperation agreements and associated payments, secured through the implementation of the Fisheries Management and Mitigation Strategy (FMMS, Volume III, Appendix 25.3). In addition, SER operate within the agreed Seafood ORE Working Group Communications Protocol.</p> <p>The Developer commits to following Guidance on Dispute Resolution developed by the Seafood / ORE Working Group (2024). This includes use of the Dispute Resolution Mechanism (DRM) defined by the Seafood / ORE Working Group (2024) as a voluntary mediation process, which offers a timely and cost-effective means of resolving disputes.</p> <p>The Proposed Development therefore complies with Co-existence Policy 1.</p>
<b>Infrastructure Policy 1</b>	<p>Appropriate land-based infrastructure which facilitates marine activity (and vice versa) should be supported. Proposals for appropriate infrastructure that facilitates the diversification or regeneration of marine industries should be supported.</p>	<p>During the lifetime of ABWP2, it is expected that €4.8billion will be spent on the development, construction, operation and decommissioning of the wind farm.</p> <p>During the development and construction phase, it is expected that ABWP2 will support 430 annualised fulltime equivalent (aFTEs) jobs across Wicklow and Wexford and 1,720 aFTEs in Ireland.</p> <p>During its operation phase it is expected that ABWP2 will support 60 jobs in Wicklow and Wexford per annum and 100 jobs in Ireland per annum.</p> <p>ABWP2 will indirectly facilitate the diversification or regeneration of marine industries and therefore complies with Infrastructure Policy 1.</p>
<b>Access Policy 1</b>	<p>Proposals, including in relation to tourism and recreation, should demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid,</li> <li>b) minimise, or</li> <li>c) mitigate</li> </ul> <p>significant adverse impacts on public access.</p>	<p>The EIAR has assessed impacts on tourism and recreation in Volume II, Chapter 21 Population and Human Health.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring. In order to minimise significant adverse impacts on receptors, alternative locations and designs for the Proposed Development were considered and these are presented in Volume II, Chapter 3 Consideration of Alternatives</p> <p>In light of the conclusions of the EIAR, no 'paragraph (c)' mitigation is required in respect of the Proposed Development. Significant adverse impacts on public access are avoided. The Proposed Development therefore complies with Access Policy 1.</p>
<b>Access Policy 2</b>	<p>Proposals demonstrating appropriate enhanced and inclusive public access to and within the maritime area, and that consider the future provision of services for tourism and recreation activities, should be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF.</p>	<p>The Proposed Development is not a tourism development; therefore Access Policy 2 is not of relevance.</p>
<b>Employment Policy 1</b>	<p>Proposals should demonstrate contribution to a net increase in marine related employment in Ireland, particularly where the proposals are:</p>	<p>A Socioeconomic Impact Report has been submitted with the Application (Volume III, Appendix 21.1).</p> <p>During the lifetime of ABWP2 it is expected that €4.8billion will be spent on the development, construction, operation and decommissioning of the wind farm.</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
	<p>in line with the skills available in Irish coastal communities adjacent to the maritime area; improve the sustainable use of natural resources; diversify skills to enable employment in emerging industries.</p>	<p>During the development and construction phase it is expected that ABWP2 will support 430 annualised fulltime equivalent (aFTEs) jobs across Wicklow and Wexford and 1,720 aFTEs in Ireland.</p> <p>During its operation phase it is expected that ABWP2 will support 60 jobs in Wicklow and Wexford per annum and 100 jobs in Ireland per annum.</p> <p>ABWP2 will contribute to a net increase in marine related employment in Wicklow and Wexford and therefore complies with Employment Policy 1.</p>
<p><b>Heritage Assets Policy 1</b></p>	<p>Proposals that demonstrate they will contribute to enhancing the significance of heritage assets will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals unable to contribute to enhancing the significance of heritage assets will only be supported if they demonstrate that they will, in order of preference:</p> <ol style="list-style-type: none"> <li>avoid,</li> <li>minimise, or</li> <li>mitigate</li> </ol> <p>harm to the significance of heritage assets, and</p> <ol style="list-style-type: none"> <li>if it is not possible, to mitigate harm, then the public benefits for proceeding with the proposal must outweigh the harm to the significance of the heritage assets. (see definition of 'Public Benefits' in the Glossary)</li> </ol>	<p>The EIAR has assessed impacts heritage assets in Volume II, Chapter 18 Marine Archaeology and Cultural Heritage.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring.</p> <p>It should be noted that the EIAR for the Proposed Development has concluded a significant effect on indirect impact on the setting of terrestrial cultural heritage sites within the cumulative impact assessment, which cannot be mitigated.</p> <p>To comply Heritage Assets Policy 1, the public benefits for proceeding with the Proposed Development is provided in Volume II, Chapter 1: Introduction.</p> <p>The Proposed Development therefore complies with Heritage Assets Policy 1.</p>
<p><b>Rural Coastal and Island Communities Policy 1</b></p>	<p>Proposals contributing to access, communications, energy self-sufficiency or sustainability of rural coastal and / or island communities should be supported. Proposals should ideally be inclusive of continual education, skills development and training in marine sectors, thus improving the sustainability, social benefits and economic resilience of rural and island communities.</p>	<p>A Socioeconomic Impact Report has been submitted with the Application (Volume III, Appendix 21.1).</p> <p>During the lifetime of the ABWP2 it is expected that €4.8 billion will be spent on the development, construction, operation and decommissioning of the wind farm.</p> <p>During the development and construction phase it is expected that ABWP2 will support 430 annualised fulltime equivalent (aFTEs) jobs across Wicklow and Wexford and 1,720 aFTEs in Ireland.</p> <p>During its operation phase it is expected that ABWP2 will support 60 jobs in Wicklow and Wexford per annum and 100 jobs in Ireland per annum.</p> <p>ABWP2 was not successful in the first round of the Government's Offshore Renewable Electricity Support Scheme (ORESS) scheme, however, SPL remains fully committed to delivering the Project and to providing a community benefit fund. Without an ORESS support contract, ABWP2 is not in a position to deliver a community fund in line with the ORESS scheme. However, SPL is pleased to be able to commit to providing a fund of €3m per annum for the duration of an alternative route to market (corporate power purchase agreement) contract (Volume III, Appendix 3.1, Consultation Report, Annex A).</p> <p>ABWP2 will indirectly facilitate continual education, skills development and training in marine sectors, thus improving the sustainability, social benefits and economic resilience of rural communities.</p> <p>The Proposed Development complies with Rural Coastal and Island Communities Policy 1.</p>
<p><b>Seascape and Landscape Policy 1</b></p>	<p>Proposals should demonstrate how the likely significant impacts of a development on the seascape and landscape of an area have been considered.</p>	<p>The EIAR has assessed impacts on the seascape and landscape in Volume II, Chapter 17 SLVIA.</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
	<p>Proposals will only be supported if they demonstrate that they, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid,</li> <li>b) minimise, or</li> <li>c) mitigate</li> </ul> <p>significant adverse impacts on the seascape and landscape of the area.</p> <ul style="list-style-type: none"> <li>d) If it is not possible to mitigate significant adverse impacts, proposals must set out the reasons for proceeding.</li> </ul> <p>This policy should be included as part of statutory environmental assessments.</p>	<p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring. In order to minimise significant adverse impacts on receptors, alternative locations and designs for the Proposed Development were considered and these are presented in Volume II, Chapter 3 Consideration of Alternatives</p> <p>The layout of WTGs and Offshore Substation Platforms (OSPs) have been designed in such a way as to minimise the impacts on Seascape, Landscape, Visual Impacts Assessment (SLVIA) where possible. White aviation lights will be fully cut off so that practically no light will be emitted below the horizontal. However, despite the use of factored in measures significant adverse impacts on the seascape and landscape of the area cannot be mitigated.</p> <p>To comply with Seascape and Landscape Policy 1, the public benefits of proceeding with the Proposed Development is provided in Volume II, Chapter 1: Introduction.</p> <p>In following the mitigation hierarchy and setting out the public benefits of proceeding with the Proposed Development, the Proposed Development complies with this Seascape and Landscape Policy 1.</p>
<p><b>Social Benefits Policy 1</b></p>	<p>Proposals that enhance or promote social benefits should be supported. Proposals unable to enhance or promote social benefits should demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) minimise, or</li> <li>b) mitigate</li> </ul> <p>significant adverse impacts which result in the displacement of other existing or authorised (but yet to be implemented) activities that generate social benefits.</p>	<p>During the lifetime of ABWP2 it is expected that €4.8billion will be spent on the development, construction, operation and decommissioning of the wind farm.</p> <p>During the development and construction phase it is expected that ABWP2 will support 430 annualised fulltime equivalent (aFTEs) jobs across Wicklow and Wexford and 1,720 aFTEs in Ireland.</p> <p>During its operation phase it is expected that ABWP2 will support 60 jobs in Wicklow and Wexford per annum and 100 jobs in Ireland per annum.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring. In order to minimise significant adverse impacts on receptors, alternative locations and designs for the Proposed Development were considered and these are presented in Volume II, Chapter 3 Consideration of Alternatives</p> <p>Impacts on activities that generate social benefits have been assessed in the EIAR in Volume II, Chapter 15: Shipping &amp; Navigation, Chapter 19: Infrastructure and Other Users, and Chapter 21: Population and Human Health. The Proposed Development will not have adverse impacts activities that generate social benefits.</p> <p>ABWP2 was not successful in the first round of the Government's ORESS scheme, however, SPL remains fully committed to delivering the project and to providing a community benefit fund. Without an ORESS support contract, ABWP2 is not in a position to deliver a community fund in line with the ORESS scheme. However, SPL is pleased to be able to commit to providing a fund of €3m per annum for the duration of an alternative route to market (corporate power purchase agreement) contract.</p> <p>ABWP2 and the community benefit fund aligns with Social Benefits Policy 1.</p>
<p><b>Social Benefits Policy 2</b></p>	<p>Proposals that increase the understanding and enjoyment of the marine environment (including its natural, historic and social value), or that promote conservation management and increased education and skills, should be supported.</p>	<p>The Proposed Development is for an offshore wind farm. As such, Social Benefits Policy 2 is not of relevance to the Proposed Development.</p>
<p><b>Transboundary Policy 1</b></p>	<p>Proposals that have transboundary impacts beyond the maritime area, on either the terrestrial environment or neighbouring international jurisdictions, must show evidence of consultation with</p>	<p>Transboundary stakeholders were consulted on the Proposed Development through the 2020 and 2023 scoping report consultation (Volume III, Appendix 3.1: Consultation Report).</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
	the relevant public authorities, including terrestrial planning authorities and other country authorities. Proposals should consider transboundary impacts throughout the lifetime of the proposed activity.	A screening for potential transboundary impacts has been undertaken for the Proposed Development (Volume III, Appendix 3.3: Transboundary Impact Screening). Where potential transboundary impacts have been screened in, an assessment of these impacts has been undertaken. The EIAR concludes that there are no significant transboundary effects arising from the Proposed Development.  The Proposed Development complies with Transboundary Policy 1.
<b>Aquaculture Policy 1</b>	Proposals for sustainable development of aquaculture that: <ul style="list-style-type: none"> <li>• demonstrate use of innovative approaches, and / or</li> <li>• contribute to diversification of species being grown in a given locality, particularly proposals applying a multi-trophic approach, and / or</li> <li>• enhances resilience to the effects of climate change</li> </ul> should be supported.	The Proposed Development is for an offshore wind farm. As such, Aquaculture Policy 1 is not of relevance to the Proposed Development.
<b>Aquaculture Policy 2</b>	Non-aquaculture proposals in aquaculture production areas must demonstrate consideration of, and compatibility with, aquaculture production. Where compatibility is not possible, proposals must demonstrate that they will, in order of preference: <ol style="list-style-type: none"> <li>a) avoid;</li> <li>b) minimise;</li> <li>c) mitigate</li> </ol> significant adverse impacts on aquaculture. <ol style="list-style-type: none"> <li>d) If it is not possible to mitigate significant adverse impacts upon aquaculture, proposals should set out the reasons for proceeding.</li> </ol>	The EIAR has assessed impacts on aquaculture in Volume II, Chapter 14 Commercial Fisheries and Aquaculture.  The Proposed Development is not located within an aquaculture production area and is 5.3km away from the nearest production site. The EIAR concludes that there will be no significant impacts on aquaculture. The Proposed Development therefore complies with Aquaculture Policy 2.
<b>Aquaculture Policy 3</b>	Land-based coastal infrastructure that is critical to and supports development of aquaculture should be supported, in accordance with any legal requirements and provided environmental safeguards contained within authorisation processes are fully met	The Proposed Development is for an offshore wind farm. As such, Aquaculture Policy 3 is not of relevance to the Proposed Development.
<b>Defence and Security Policy 1</b>	Any proposal that has the potential to interfere with the performance by the Defence Forces of their security and non-security related tasks must be subject to consultation with the Defence Organisation. This includes potential interference with: <ul style="list-style-type: none"> <li>• Safety of navigation and access to naval facilities;</li> <li>• Firing, test or exercise areas;</li> <li>• Communication, and surveillance systems;</li> <li>• Fishery protection functions.</li> </ul> Proposals should only be supported where, having consulted with the Defence Organisation, they are satisfied that it will not result in unacceptable interference with the performance by the Defence Forces of their security and non-security related tasks.  Any proposal will be subject to the relevant Environmental Assessments, as set out in the introduction to this NMPF.	The Department of Defence has been consulted throughout the development of the Application (Volume II, Chapter 16 Civil and Military Aviation). Impacts on defence and security have been assessed in Volume II, Chapter 15: Shipping and Navigation and Volume II, Chapter 16: Aviation and Radar. No significant effects have been concluded on the receptors assessed and it can be concluded that the Proposed Development does not have any potential to interfere with the performance by the Defence Forces of their security and non-security related tasks.
<b>Natural Gas Storage Policy 1</b>	Subject to assessments required for the protection of the environment, and only where in keeping with the	The Proposed Development is for an offshore wind farm. As such, Natural Gas Policy 1 is not of relevance to the Proposed Development.

Policy Point	Description	Applicability to the Proposed Development and Compliance
	outcome of the review of the security of energy supply of Ireland's electricity and natural gas systems (which is being carried out by Department of the Environment, Climate and Communications), natural gas storage proposals should be supported.	
<b>ORE Policy 1</b>	Proposals that assist the State in meeting the Government's offshore renewable energy targets, including the target of achieving 5GW of capacity in offshore wind by 2030 and proposals that maximise the long-term shift from use of fossil fuels to renewable electricity energy, in line with decarbonisation targets, should be supported. All proposals will be rigorously assessed to ensure compliance with environmental standards and seek to minimise impacts on the marine environment, marine ecology and other maritime users.	<p>The Proposed Development is an offshore wind farm. The Proposed Development will make a direct contribution (16%) to the Government's target of achieving 5GW of capacity in offshore wind by 2030 and maximise the long-term shift from use of fossil fuels to renewable electricity energy, in line with decarbonisation targets. Volume II of the EIAR presents a rigorous assessment to ensure compliance with environmental standards. Through the implementation of Factored-in measures and additional mitigation for some impacts, impacts on the marine environment, marine ecology and other maritime users are minimised.</p> <p>The Proposed Development complies with ORE Policy 1.</p>
<b>ORE Policy 2</b>	Proposals must be consistent with national policy, including the Offshore Renewable Energy Development Plan (OREDPA) and its successor. Relevant Projects designated pursuant to the Transition Protocol and those projects that can objectively enable delivery on the Government's 2030 targets will be prioritised for assessment under the new consenting regime. Into the future, areas designated for offshore energy development, under the Designated Marine Area Plan process set out in the Maritime Area Planning Bill, will underpin a planned approach to consenting (or development of our marine resources) (Note – see Appendix D on Spatial Designation Process).	<p>Volume II, Chapter 1 Introduction and Chapter 2 Policy and Legislation sets out how the Proposed Development complies with national policy including Offshore Renewable Energy Development Plan (OREDPA). The Proposed Development is included in the OREDPA Assessment Area 2 (East Coast South).</p> <p>The Proposed Development is a Phase 1 project under the Transition Protocol.</p> <p>The Proposed Development complies with ORE Policy 2.</p>
<b>ORE Policy 3</b>	<p>Any non-ORE proposals that are in or could affect sites held under a permission or that are subject to an ongoing permitting or consenting process for renewable energy generation (wind, wave or tidal) should demonstrate that they will in order of preference:</p> <ol style="list-style-type: none"> <li>avoid,</li> <li>minimise,</li> <li>mitigate adverse impacts, or</li> <li>if it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding.</li> </ol> <p>Applicants for non-ORE proposals in or affecting ORE sites should engage ORE developers in consultation during the pre-application processes as appropriate.</p>	<p>The Proposed Development is for an offshore wind farm. As such, ORE Policy 3 is not of relevance to the Proposed Development.</p>
<b>ORE Policy 4</b>	Decisions on ORE developments should be informed by consideration of space required for other activities of national importance described in the NMPF.	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>The Proposed Development has been assessed alongside other activities of national importance through the cumulative impact assessments.</p> <p>The Proposed Development complies with ORE Policy 4.</p>
<b>ORE Policy 5</b>	Proposals for activity that may adversely impact ORE test projects by virtue of being within or adjacent to ORE test sites, or between site and landfall of ORE test projects that may adversely impact ORE test site	<p>The Proposed Development is for an offshore wind farm and will not affect other ORE test projects. As such, ORE Policy 5 is not of relevance to the Proposed Development.</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
	projects, should demonstrate that they will in order of preference: a) avoid, b) minimise, c) mitigate adverse impacts.	
<b>ORE Policy 6</b>	Proposals for infrastructure enabling local use of excess energy generated from emerging marine technologies (wave, tidal, floating wind) should be supported.	The Proposed Development is a fixed bottom offshore wind farm. As such, ORE Policy 6 is not of relevance to the Proposed Development.
<b>ORE Policy 7</b>	Where potential for ports to contribute to ORE is identified, plans and policies related to this port must encourage development in such a way as to facilitate ORE and related supply chain activity.	ORE Policy 7 is not of relevance to the Proposed Development.
<b>ORE Policy 8</b>	Proposals for ORE must demonstrate consideration of existing cables passing through or adjacent to areas for development, making sure ability to repair and carry out cable-related remedial work is not significantly compromised. This consideration should be included as part of statutory environmental assessments where such assessments are required.	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>An assessment of the impact of the Proposed Development on the existing Arklow Bank Wind Park 1 infrastructure (which is surrounded by the Proposed Development) has been carried out in Volume II, Chapter 19 Infrastructure and Other Users. This assessment has concluded that remedial works for ABWP1 will not be significantly compromised by the Proposed Development. There are no other existing cables passing through or adjacent to areas for development.</p> <p>The Proposed Development complies with ORE Policy 7.</p>
<b>ORE Policy 9</b>	A permission for ORE must be informed by inclusion of a visualisation assessment that supports conditions on any development in relation to design and layout. Where a development consent is applied for in an area already subject to permission, proposals must include a visualisation assessment to inform design and layout. Visualisation assessments should demonstrate consultation with communities that may be able to view the proposal, in addition to any other ORE development, which had received consent to proceed at a given site at the time the consent application is made, with the aim of minimising impact. Visualisation assessments will be informed by specific emerging guidelines (detailed in the actions set out in Annexes to this NMPF). Prior to specific guidelines being available, policy and best practice relating to visualisation assessment should be used. This consideration must be included as part of statutory environmental assessments where such assessment is required.	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>A visual assessment has been undertaken as part of the EIAR in Volume II, Chapter 17 Seascape, Landscape and Impact Assessment. Visualisations have also been produced as part of the EIAR and to inform the visual assessment (Volume III, Appendices 17.3 and 17.4 SLVIA Visuals, Project Design Option One and 2, respectively).</p> <p>The visual assessment has been carried out using best practice guidance.</p> <p>The Developer has also engaged extensively with local and national stakeholders over the last number of years in preparation for submitting the Application (Volume III, Appendix 3.1: Consultation Report).</p> <p>The Proposed Development complies with ORE Policy 9.</p>
<b>ORE Policy 10</b>	Opportunities for land-based, coastal infrastructure that is critical to and supports development of ORE should be prioritised in plans and policies, where possible.	The Proposed Development is an offshore wind farm. As such, ORE Policy 10 is not of relevance to the Proposed Development.
<b>ORE Policy 11</b>	Where appropriate, proposals that enable the provision of emerging renewable energy technologies and associated supply chains will be supported.	The Proposed Development has received a design flexibility opinion from ABP. This flexibility will allow for the Proposed Development to avail of emerging WTG technology in advance of construction.
<b>Petroleum Policy 1</b>	Proposals in areas where petroleum activities or petroleum production infrastructure have already been approved, or where applications consistent with the Government's prohibition on new exploration activity are under consideration, should only be authorised where compatibility with the existing, authorised or proposed activity can be satisfactorily	The Proposed Development is for an offshore wind farm. The Proposed Development is not within or near any authorised or proposed petroleum activity sites. As such, Petroleum Policy 1 is not of relevance to the Proposed Development.

Policy Point	Description	Applicability to the Proposed Development and Compliance
	<p>demonstrated or the proposal is clearly of strategic or national importance.</p> <p>Compatibility should be achieved, in order of preference, through:</p> <ul style="list-style-type: none"> <li>a) avoiding, or</li> <li>b) minimising, or</li> <li>c) mitigating</li> </ul> <p>adverse impacts.</p> <ul style="list-style-type: none"> <li>d) If it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding.</li> </ul>	
<p><b>Petroleum Policy 2</b></p>	<p>Proposals potentially affecting future potential activity in areas (blocks) subject to existing petroleum authorisations should avoid sterilisation of that area for future petroleum-related activity consistent with Government policy, and demonstrate how they, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid, or</li> <li>b) minimise, or</li> <li>c) mitigate</li> </ul> <p>potential adverse impacts on those activities.</p> <ul style="list-style-type: none"> <li>d) If it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding.</li> </ul>	<p>The Proposed Development is for an offshore wind farm. The Proposed Development is not within or near any authorised or proposed petroleum activity sites. As such, Petroleum Policy 2 is not of relevance to the Proposed Development.</p>
<p><b>Transmission Policy 1</b></p>	<p>Subject to the appropriate environmental assessments, electricity transmission proposals that maintain or improve the security and diversity of Ireland's energy supply should be supported, including interconnectors, relevant EU Projects of Common Interest (PCIs), and projects in receipt of relevant alternative EU priority energy infrastructure classification provided for by the EU TEN-E regulations.</p> <p>This should include development of the offshore transmission system and connection with the onshore transmission system necessary to meet the Government's target of 5 GW of offshore renewables by 2030, as well as development of associated transmission system / interconnector infrastructure for hybrid offshore projects, connecting offshore renewable energy installations with Ireland and one or more other electricity transmission systems.</p>	<p>The Proposed Development is an offshore wind farm. The Proposed Development will make a direct contribution (16%) to the Government's target of achieving 5GW of capacity in offshore wind by 2030. As a source of domestic renewable energy, the Proposed Development will improve the security and diversity of Ireland's electricity supply.</p> <p>In May 2022, the Developer received planning approval for the onshore grid infrastructure (OGI) (Case Reference: 310090).</p> <p>The Proposed Development complies with Transmission Policy 1.</p>
<p><b>Transmission Policy 2</b></p>	<p>Proposals for activities that are in or could affect energy transmission proposals in sites held under a permission or that are subject to an ongoing permitting or consenting process for energy transmission proposals should demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> <li>a) avoid,</li> <li>b) minimise,</li> <li>c) mitigate adverse impacts, or</li> <li>d) if it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding.</li> </ul>	<p>The Proposed Development is for an offshore wind farm. The Proposed Development is not within or near any transmission sites that are subject to ongoing permission or consenting.</p> <p>An assessment of the Proposed Development's potential impact on an existing offshore wind farm which is surrounded by the Proposed Development (ABWP1) has been carried out in Volume II, Chapter 19 Infrastructure and Other Users. This assessment has concluded no significant adverse effects on the existing ABWP1 infrastructure.</p> <p>The Proposed Development complies with Transmission Policy 2.</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
<b>Transmission Policy 3</b>	Decisions on transmission developments should be informed by consideration of space required for other activities of national importance described in the NMPF.	The Proposed Development is for an offshore wind farm. The Proposed Development is not a transmission development. As such, Transmission Policy 3 is not of relevance to the Proposed Development.
<b>Transmission Policy 4</b>	Where possible, opportunities for land-based, coastal infrastructure that is critical to and supports energy transmission should be prioritised in plans and policies. Designation of land-based zones for the purposes of co-ordination and integration with relevant Marine Plans must be considered, where appropriate.	The Proposed Development is for an offshore wind farm. The Proposed Development does not facilitate transmission development. Transmission Policy 4 is not of relevance to the Proposed Development.
<b>Transmission Policy 5</b>	Proposals for construction or operation activities within one nautical mile of either of the two existing natural gas interconnector pipelines shall be avoided. If construction or operation activities are proposed to take place within one nautical mile of either of the two existing natural gas interconnector pipelines, the views of Gas Networks Ireland in relation to how such activities could impact the pipelines shall be taken into account and either appropriate mitigation measures put in place or the proposed activities altered. If construction or operation activities involve the crossing of either of the two existing natural gas interconnector pipelines by other pipelines or cables, the views of Gas Networks Ireland in relation to how such activities could impact the pipelines shall be taken into account and either appropriate mitigation measures be put in place or the proposed activities altered.	The Proposed Development is not located within one nautical mile of either of the two existing natural gas interconnector pipelines. As such, Transmission Policy 5 is not of relevance to the Proposed Development.
<b>Transmission Policy 6</b>	Subject to required assessments for the protection of the environment, and only where in keeping with the outcome of the review of the security of energy supply of Ireland's electricity and natural gas systems (which is being carried out by Department of the Environment, Climate and Communications), and not involving the importation of fracked gas, additional proposals for natural gas transmission/ import infrastructure should be supported.	The Proposed Development is for an offshore wind farm. As such, Transmission Policy 6 is not of relevance to the Proposed Development.
<b>Fisheries Policy 1</b>	Proposals that may have significant adverse impacts on access for existing fishing activities, must demonstrate that they will, in order of preference: a) avoid, b) minimise, or c) mitigate such impacts. d) If it is not possible to mitigate significant adverse impacts on fishing activity, the public benefits for proceeding with the proposal that outweigh the significant adverse impacts on existing fishing activity must be demonstrated.	The EIAR has assessed potential significant adverse impacts on fishing activity in Volume II, Chapter 14 Commercial Fisheries and Aquaculture.  A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. A number of factored-in measures of relevance to Fisheries Policy 1 will be implemented including but not limited to, implementation of a Fisheries Management and Mitigation Strategy (FMMS) (Volume III, Appendix 25.3) (which also provides for claim for loss or damage to gear), fisheries liaison (as set out in Volume III, Appendix 25.1: Environmental Management Plan (EMP), Cable Burial Risk Assessment (to be produced pre construction), Advisory safety zones and clearance distances (Volume III, Appendix 25.7: Vessel Management Plan (VMP)) and pre- and post-construction surveys.  Through the implementation of the Factored-in measures the majority of impacts on existing fisheries have been minimised and paragraph c mitigation is not required in respect of the Proposed Development. One impact (Loss of grounds or restricted access to fishing grounds within the Cable Corridor and Working Area) requires additional mitigation (paragraph c), the proposed mitigation is cooperation agreements and associated payments.

Policy Point	Description	Applicability to the Proposed Development and Compliance
		<p>The Proposed Development will minimise and mitigate significant adverse impacts on access for existing fishing activities.</p> <p>As such, the Proposed Development complies with Fisheries Policy 1.</p>
<p><b>Fisheries Policy 2</b></p>	<p>Where significant impact upon fishing activity arising from any proposal is identified, a Fisheries Management and Mitigation Strategy (FMMS) should be prepared by the proposer of development or other maritime area use, in consultation with local fishing interests and other interests as appropriate. All efforts should be made to agree the FMMS with those interests. Those interests should also undertake to engage with the proposer and provide best available, transparent and accurate information and data in a timely manner to help complete the FMMS. The FMMS should be drawn up as part of readying a proposal prior to submission, with measures identified to be considered in finalising conditions of any authorisations granted. Development of the strategy should be coordinated with other relevant assessments such as EIA where possible.</p> <p>The content of the Fisheries Management and Mitigation Strategy (FMMS) should be relevant to the particular circumstances and could include:</p> <ul style="list-style-type: none"> <li>• An assessment of the potential impact of all stages of the development or other suggested use on the affected fishery or fisheries, both in socio-economic terms and in relation to environmental sustainability. This assessment should include consideration of any impact upon cultural identity within fishing communities, as well as identifying indirect / in-combination matters.</li> <li>• A recognition that the disruption to existing fishing opportunities / activity should be minimised as far as possible.</li> <li>• Demonstration of the public benefit(s) that outweigh the significant impacts identified.</li> <li>• Reasonable measures to mitigate any constraints which the proposed development or use may place on existing or proposed fishing activity.</li> <li>• Reasonable measures to mitigate any potential impacts on sustainability of fish stocks (e.g. impacts on spawning grounds or areas of fish or shellfish abundance) and any socio-economic impacts.</li> </ul> <p>Where it does not prove possible to agree the FMMS with all interests:</p> <ul style="list-style-type: none"> <li>• Divergent views and the reasons for any divergence of views between the parties should be fully explained in the FMMS, and dissenting views should be given a platform within the said FMMS to make their case.</li> <li>• Where divergent views are identified, relevant public authorities should be engaged to identify</li> </ul>	<p>An FMMS has been submitted with the Application (Volume III, Appendix 25.3).</p> <p>In line with the requirements of the NMPF, industry standards and good practice, the FMMS has the following key primary functions:</p> <ul style="list-style-type: none"> <li>• To ensure that appropriate liaison channels with the fishing industry are established and that effective liaison is maintained throughout the construction, operation and maintenance and decommissioning phases of the Proposed Development; and</li> <li>• To define appropriate management and mitigation measures to minimise potential impacts on fishing activities and facilitate co-existence throughout the construction, operation and maintenance and decommissioning of the Proposed Development.</li> </ul> <p>The Developer commits to following the Seafood / Offshore Renewable Energy (ORE) Working Group Summary guidance (Seafood/ORE Working Group, 2023), including the principles for engagement.</p> <p>The Developer commits to effective engagement built upon mutual respect, best endeavours to reach agreement and recognition of the importance of the seafood/fisheries sector.</p> <p>The Proposed Development complies with Fisheries Policy 2.</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
	informal and formal steps designed to enable proposal(s) to progress.	
<b>Fisheries Policy 3</b>	Proposals that enhance the sustainability of fisheries or support a sustainable fishing industry, including the industry's diversification and or enhanced resilience to the effects of climate change, should be supported provided they fully meet the environmental safeguards contained within authorisation processes.	The Proposed Development is not a proposal to enhance fisheries sustainability. As such, Fisheries Policy 3 is not of relevance to the Proposed Development.
<b>Fisheries Policy 4</b>	Infrastructural proposals that enable access to fishing activities should be supported provided they fully meet the environmental safeguards contained within authorisation processes.	The Proposed Development is not a proposal to enhance access to fishing. As such, Fisheries Policy 4 is not of relevance to the Proposed Development.
<b>Fisheries Policy 5</b>	Proposals, regardless of the type of activity they relate to, enhancing essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes should be supported. If proposals cannot enhance essential fish habitat, they must demonstrate that they will, in order of preference: <ul style="list-style-type: none"> <li>a) avoid;</li> <li>b) minimise;</li> <li>c) mitigate</li> </ul> significant adverse impact on essential fish habitat, including spawning, nursery and feeding grounds, and migration route <ul style="list-style-type: none"> <li>d) If it is not possible to mitigate significant adverse impact on essential fish habitat, proposals must set out the reasons for proceeding</li> </ul>	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring.</p> <p>The impact of the Proposed Development on fish habitat, spawning, nursery and feeding grounds and migratory routes has been assessed in Volume II, Chapter 10: Fish, Shellfish and Sea Turtle Ecology.</p> <p>In light of the conclusions of the EIAR, no 'paragraph (c)' mitigation is required in respect of the Proposed Development. Potential adverse impacts on fish habitat, spawning, nursery and feeding grounds and migratory routes have been avoided. The Proposed Development therefore complies with Fisheries Policy 5.</p>
<b>Fisheries Policy 6</b>	Ports and harbours should seek to engage with fishing and other relevant stakeholders at an early stage to discuss any changes in infrastructure that may affect them. Any port or harbour developments should take account of the needs of the dependent fishing fleets with a view to avoiding commercial harm where possible. Where a port or harbour has reached a minimum level of infrastructure required to support a viable fishing fleet, there should be a presumption in favour of maintaining this infrastructure, provided there is an ongoing requirement for it to remain in place and that it continues to be fit for purpose.	The Proposed Development is not a port or harbour development. As such, Fisheries Policy 6 is not of relevance to the Proposed Development.
<b>Mineral Exploration and Mining Policy 1</b>	Only proposals which are in line with national policy on mineral exploration and mining should be considered, provided they fully meet the environmental safeguards contained within the mineral exploration and mining consent processes.	The Proposed Development is not a proposal for mineral exploration or mining. As such, Mineral Exploration and Mining Policy 1 is not of relevance to the Proposed Development.
<b>Ports, Harbours and Shipping Policy 1</b>	To provide for shipping activity and freedom of navigation the following factors will be taken into account when reaching decisions regarding development and use: <ul style="list-style-type: none"> <li>• The extent to which the locational decision interferes with existing or planned routes used by shipping, access to ports and harbours and navigational safety. This includes commercial</li> </ul>	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>Impacts on shipping, navigation, ports and anchorages are assessed in Volume II, Chapter 15: Shipping and Navigation. A Navigational Risk Assessment has been submitted with the Application (Volume III, Appendix 15.1).</p> <p>The following Factored-in Measures have been applied:</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
	<p>anchorage and approaches to ports as well as key littoral and offshore routes;</p> <ul style="list-style-type: none"> <li>• A mandatory Navigation Risk Assessment;</li> <li>• Where interference is likely: whether reasonable alternatives can be identified; and</li> <li>• Where there are no reasonable alternatives: whether mitigation through measures adopted in accordance with the principles and procedures established by the International Maritime Organisation can be achieved at no significant cost to the shipping or ports sector.</li> </ul>	<ul style="list-style-type: none"> <li>• Use of 'rolling'/temporary 500 m advisory safe passing distances surrounding the location of all proposed/installed structures where work is being undertaken by a construction or maintenance vessel;</li> <li>• Use of 'rolling'/temporary 500 m advisory clearance distances around installation/maintenance vessels;</li> <li>• Use of 50 m advisory safe passing distances around all surface structures up until the point of commissioning;</li> <li>• Appropriate vessel health and safety including IMO conventions and HSE requirements;</li> <li>• Cable Burial Risk Assessment (CBRA) undertaken pre-construction including consideration of under keel clearance and appropriate cable protection applied based upon the outcomes;</li> <li>• Charting of all structures associated with the Proposed Development on relevant nautical and electronic charts;</li> <li>• Compliance from all project vessels with Irish Law, international maritime regulations as adopted by the relevant flag state including the Convention on the International Regulations for Preventing Collisions at Sea (COLREGs) (IMO, 1972/77) and International Convention for the Safety of Life at Sea (SOLAS) (IMO, 1974);</li> <li>• Consideration of MGN 654 (MCA, 2021) guidance with respect to WTG design and construction;</li> <li>• Creation and implementation of an Emergency Response Cooperation Plan (ERCoP) (Volume III, Appendix 25.5: Emergency Response Cooperation Plan);</li> <li>• Implementation of a buoyed construction/decommissioning area around the Array Area during the respective phases;</li> <li>• Lighting and marking in accordance with IALA Guidance G1162 (IALA, 2021) and Irish Lights requirements during both the construction and operational and maintenance phases (Volume III, Appendix 25.6: Lighting and Marking Plan);</li> <li>• Marine pollution contingency planning;</li> <li>• Marine coordination;</li> <li>• Creation and implementation of a Vessel Management Plan (VMP), including operational procedures such as the use of entry/exit points to manage the movement of project vessels (Volume III, Appendix 25.7: Vessel Management Plan);</li> <li>• Minimum WTG blade clearance above Mean High Water Spring (MHWS) of at least 22 m in line with UK MCA and RYA Guidance;</li> <li>• Circulation of information via Notice to Mariners (NtM) and other appropriate means including a Fisheries Liaison Officer (FLO); Provision of self-help capability;</li> <li>• Use of a temporary guard vessel where justified by risk assessment, e.g. to protect unlit structures and/or unprotected cable prior to burial;</li> <li>• Vessel traffic monitoring by Automatic Identification System (AIS) during the construction phase; and</li> <li>• Any water depths reductions from subsea project infrastructure that of more than 5% referenced to chart datum will be consulted on with the MSO.</li> </ul> <p>With the implementation of the Factored in measures, the Proposed Development will provide for shipping activity and freedom of navigation. The Proposed Development therefore complies with Ports, Harbours and Shipping Policy 1.</p>
<p><b>Ports, Harbours and Shipping Policy 2</b></p>	<p>Proposals that may have a significant impact upon current activity and future opportunity for expansion of port and harbour activities should demonstrate that they will, in order of preference:</p> <ol style="list-style-type: none"> <li>avoid,</li> <li>minimise, or</li> <li>mitigate significant adverse impacts, and</li> <li>if it is not possible to mitigate significant adverse impacts on current activity and future opportunity for expansion of port and harbour activities, proposals should set out the reasons for proceeding.</li> </ol>	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>Port access restrictions have been assessed Volume II, Chapter 15: Shipping and Navigation. The conclusions of the EIAR are that through the implementation of the following factored-in measures:</p> <ul style="list-style-type: none"> <li>• Circulation of information</li> <li>• Marine coordination</li> <li>• Implementation of VMP</li> <li>• the significance of effect is broadly acceptable, which is not significant in EIA terms.</li> </ul> <p>The Proposed Development therefore complies with Ports, Harbours and Shipping Policy 2.</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
<b>Ports, Harbours and Shipping Policy 3</b>	Proposals that may have a significant impact upon current activity and future opportunity for expansion of port and harbour activities must demonstrate consideration of the National Ports Policy, the National Planning Framework, and relevant provisions related to the TEN-T network.	Port access restrictions have been assessed Volume II, Chapter 15: Shipping and Navigation. The significance of effect on port access restrictions is broadly acceptable, which is not significant in EIA terms.  The Proposed Development therefore complies with Ports, Harbours and Shipping Policy 3.
<b>Ports, Harbours and Shipping Policy 4</b>	Proposals within ports limits, beside or in the vicinity of ports, and / or that impact upon the main routes of significance to a port, must demonstrate within applications that they have: <ul style="list-style-type: none"> <li>• been informed by consultation at pre-application stage or earlier with the relevant port authority;</li> <li>• have carried out a navigational risk assessment including an analysis of maritime traffic in the area; and</li> <li>• have consulted Department of Transport, MSO and Commissioners of Irish Lights.</li> </ul> Applicants must continue to engage parties identified in pre-application processes as appropriate during the decision-making process	An EIAR has been submitted with the Application for the Proposed Development. A Navigational Risk Assessment has been submitted with the Application (Volume III, Appendix 15.1). <ul style="list-style-type: none"> <li>• Ports, harbours and shipping stakeholders were consulted throughout the development of the EIAR. The consultees included:</li> <li>• Port of Cork Company (POCC)</li> <li>• Dublin port</li> <li>• IRCG</li> <li>• Irish Chamber of Shipping</li> <li>• Irish Ferries</li> <li>• Irish Lights</li> <li>• MSO</li> <li>• IAA</li> <li>• Arklow Sea Scouts; and</li> <li>• RNLI</li> <li>• Stena Line</li> </ul> The Proposed Development therefore complies with Ports, Harbours and Shipping Policy 4.
<b>Ports, Harbours and Shipping Policy 5</b>	Proposals for capital dredging will be supported where it is necessary to safeguard national port capacity and Ireland's international connectivity, and where required compliance assessments associated with authorisations have been carried out and incorporated into subsequent competent authority decision(s).	The Proposed Development is an offshore wind farm and not a capital dredging project. As such, Ports, Harbours and Shipping Policy 5 is not of relevance to the Proposed Development.
<b>Ports, Harbours and Shipping Policy 6</b>	In areas of authorised dredging activity, including those subject to navigational dredging, proposals for other activities will not be supported unless they are compatible with the dredging activity.	An existing dredging licence for operational and maintenance dredging associated with ABWP1 is in close proximity to the Proposed Development. The impact of the Proposed Development on ABWP1 has been assessed in Volume II, Chapter 19: Infrastructure and Other Users. The Proposed Development will not have a significant adverse impact on the existing ABWP1 infrastructure or operations. There are no other areas of authorised dredging which may be affected by the Proposed Development.  The Proposed Development therefore complies with Ports, Harbours and Shipping Policy 6.
<b>Ports, Harbours and Shipping Policy 7</b>	Proposals for maintenance dredging activity will be supported where: <ul style="list-style-type: none"> <li>• relevant decisions by competent authorities incorporate the outcome of statutory environmental assessment processes, as well as necessary compliance assessments associated with authorisations, including in relation to the planning process;</li> <li>• there will be no significant adverse impact on marine activities or uses or the maritime area. Any potential adverse impact will be, in order of preference, avoided, minimised or mitigated;</li> </ul>	The Proposed Development is an offshore wind farm and not a maintenance dredging project. As such, Ports, Harbours and Shipping Policy 7 is not of relevance to the Proposed Development.

Policy Point	Description	Applicability to the Proposed Development and Compliance
	<ul style="list-style-type: none"> <li>dredged waste is managed in accordance with internationally agreed hierarchy of waste management options for sea disposal; • if disposing of dredged material at sea, existing registered disposal sites are used, in preference to new disposal sites; and</li> <li>where they contribute to the policies and objectives of this NMPPF</li> </ul>	
<p><b>Ports, Harbours and Shipping Policy 8</b></p>	<p>Proposals that cause significant adverse impacts on licensed disposal areas should not be supported. Proposals that cannot avoid such impact must, in order of preference</p> <ol style="list-style-type: none"> <li>minimise,</li> <li>mitigate, or</li> <li>if it is not possible to mitigate the significant adverse impacts, proposals must set out the reasons for proceeding.</li> </ol>	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring.</p> <p>An existing dredging licence for operational and maintenance dredging associated with ABWP1 and dumping location is located in close proximity to the Proposed Development. The impact of the Proposed Development on ABWP1 has been assessed in Volume II, Chapter 19: Infrastructure and Other Users.</p> <p>Arklow Energy Limited secured a permit for seabed levelling undertaken via plough dredging in an area to the east of ABWP1 that is approximately 700m in length and 100m in width (Permit Number: S0027-01). The application relates to the dumping of up to 99,999 tonnes of material over an 8-year period from 1 July 2017 to 31 May 2025. As per the Licence and Enforcement Access Portal on the Environmental Protection Agency website, "Arklow Energy Ltd" have not undertaken any activity under the permit Reg. S0027-01 over the reporting calendar year 2022 and reported no plans to undertake any activity during 2023. As the permit has been granted until 2025, cessation of activities will occur before construction of the Proposed Development is anticipated to begin.</p> <p>In light of the conclusions of the EIAR, no 'paragraph (b)' mitigation is required in respect of the Proposed Development. Significant adverse impacts on licensed disposal areas are minimised.</p> <p>The Proposed Development therefore complies with Ports, Harbours and Shipping Policy 8.</p>
<p><b>Ports, Harbours and Shipping Policy 9</b></p>	<p>Proposals for the management of dredged material must demonstrate that they have been assessed against the waste hierarchy (see Glossary).</p>	<p>During the construction and operational and maintenance phase of the Proposed Development, localised dredging and management of dredged material is expected to occur. The environmental impact of this material has been assessed in the EIAR.</p> <p>The Proposed Development will require a Dumping at Sea (DAS) licence from the EPA prior to construction. The assessment of the dredged material against the waste hierarchy will be presented within the DAS application.</p> <p>The Proposed Development therefore complies with Ports, Harbours and Shipping Policy 9.</p>
<p><b>Ports, Harbours and Shipping Policy 10</b></p>	<p>Proposals identifying new dredge disposal sites which are subject to best practice and guidance from previous studies should be supported where:</p> <ul style="list-style-type: none"> <li>competent authority decisions incorporate necessary compliance assessments associated with authorisations; and</li> <li>they contribute to the policies and objectives of this NMPPF.</li> </ul> <p>Proposals must include an adequate characterisation study, be assessed against the waste hierarchy and must be informed by consultation with all relevant stakeholders.</p>	<p>The Proposed Development identifies an indicative location for the dumping of dredged material (associated with the Proposed Development). The proposed location is within the boundary of the Proposed Development and has been assessed in the EIAR (Volume II, Chapter 6 Coastal Processes and Volume III, Appendix 6.1 Marine Physical Processes Numerical Modelling).</p> <p>A dumping at sea licence will be required for the Proposed Development in advance of construction.</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
<p><b>Safety at Sea Policy 1</b></p>	<p>Proposals for installation, operation, and decommissioning of Offshore Wind Farms must demonstrate how they will:</p> <ul style="list-style-type: none"> <li>Minimise navigational risk between commercial vessels arising from an increase in the density of vessels in maritime space as a result of wind farm layout; and</li> <li>Allow for recreational vessels within the Offshore Wind Farm (including consideration of turbine height) or redirect recreational vessels, minimising navigational risk arising between recreational and commercial vessels.</li> </ul>	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>Impacts on commercial and recreational vessels are assessed in Volume II, Chapter 15: Shipping and Navigation. A Navigational Risk Assessment has been submitted with the Application (Volume III, Appendix 15.1).</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring.</p> <p>The following Factored-in Measures have been applied in order to minimise navigational risk:</p> <ul style="list-style-type: none"> <li>Use of 'rolling'/temporary 500 m advisory safe passing distances surrounding the location of all proposed/fixed structures where work is being undertaken by a construction or maintenance vessel;</li> <li>Use of 'rolling'/temporary 500 m advisory clearance distances around installation/maintenance vessels;</li> <li>Use of 50 m advisory safe passing distances around all surface structures up until the point of commissioning;</li> <li>Appropriate vessel health and safety including IMO conventions and HSE requirements;</li> <li>Cable Burial Risk Assessment (CBRA) undertaken pre-construction including consideration of under keel clearance and appropriate cable protection applied based upon the outcomes;</li> <li>Charting of all structures associated with the Proposed Development on relevant nautical and electronic charts;</li> <li>Compliance from all project vessels with Irish Law, international maritime regulations as adopted by the relevant flag state including the Convention on the International Regulations for Preventing Collisions at Sea (COLREGs) (IMO, 1972/77) and International Convention for the Safety of Life at Sea (SOLAS) (IMO, 1974);</li> <li>Consideration of MGN 654 (MCA, 2021) guidance with respect to WTG design and construction;</li> <li>Creation and implementation of an Emergency Response Cooperation Plan (ERCoP) (Volume III, Appendix 25.5: Emergency Response Cooperation Plan);</li> <li>Implementation of a buoyed construction/decommissioning area around the Array Area during the respective phases;</li> <li>Lighting and marking in accordance with IALA Guidance G1162 (IALA, 2021) and Irish Lights requirements during both the construction and operational and maintenance phases (Volume III, Appendix 25.6: Lighting and Marking Plan);</li> <li>Marine pollution contingency planning;</li> <li>Marine coordination;</li> <li>Creation and implementation of a Vessel Management Plan (VMP), including operational procedures such as the use of entry/exit points to manage the movement of project vessels (Volume III, Appendix 25.7: Vessel Management Plan);</li> <li>Minimum WTG blade clearance above Mean High Water Spring (MHWS) of at least 22 m in line with UK MCA and RYA Guidance;</li> <li>Circulation of information via Notice to Mariners (NtM) and other appropriate means including a Fisheries Liaison Officer (FLO);</li> <li>Provision of self-help capability;</li> <li>Use of a temporary guard vessel where justified by risk assessment, e.g. to protect unlit structures and/or unprotected cable prior to burial;</li> <li>Vessel traffic monitoring by Automatic Identification System (AIS) during the construction phase; and</li> <li>Any water depths reductions from subsea project infrastructure that of more than 5% referenced to chart datum will be consulted on with the MSO.</li> </ul> <p>Internal navigational is possible, with recreational navigation being at the discretion of each individual users. The EIAR concludes that this risk is ALARP, not significant in EIA terms.</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
		The Proposed Development complies with Safety at Sea Policy 1.
<b>Safety at Sea Policy 2</b>	Proposals for infrastructure that have the potential to significantly reduce under-keel clearance must demonstrate how they will, in order of preference: <ol style="list-style-type: none"> <li>avoid,</li> <li>minimise</li> <li>mitigate</li> </ol> adverse impacts, or <ol style="list-style-type: none"> <li>if it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding.</li> </ol>	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring.</p> <p>Of relevance to Safety at Sea Policy 2, a CBRA will be undertaken pre-construction including consideration of under keel clearance and appropriate cable protection applied based upon the outcomes. Cable will be buried to 0.5 m where possible, cable protection will be utilised where identified as necessary. The implementation of this factored-in measure will ensure cable protection is sufficient to limit cable interaction and under keel clearance risks.</p> <p>In light of the conclusions of the EIAR, no 'paragraph (b)'mitigation is required in respect of the Proposed Development. Potential to significantly reduce under-keel clearance is minimised.</p> <p>The Proposed Development complies with Safety at Sea Policy 2.</p>
<b>Safety at Sea Policy 3</b>	All proposals for temporary or permanent fixed infrastructure in the maritime area must ensure navigational marking in accordance with appropriate international standards and ensure inclusion in relevant charts where applicable.	<p>Lighting and marking as directed by Irish Lights and in compliance with the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA) G1162 (IALA, 2021) and charting have been committed to by the Developer as factored in measures.</p> <p>A Lighting and Marking Plan (LMP) has been submitted with the Application for the Proposed Development (Volume III, Appendix 25.6).</p> <p>The Proposed Development complies with Safety at Sea Policy 3.</p>
<b>Safety at Sea Policy 4</b>	Establishing, changing or disestablishing Aids to Navigation (AtoN) must be sanctioned, in advance of works, by the Commissioners of Irish Lights.	<p>A Lighting and Marking Plan (LMP) has been submitted with the Application for the Proposed Development (Volume III, Appendix 25.6).</p> <p>The Proposed Development complies with Safety at Sea Policy 4.</p>
<b>Safety at Sea Policy 5</b>	Proposals must identify their potential impact, if any, on Maritime Emergency Response (Search and Rescue (SAR), Maritime Casualty and Pollution Response) operations. Where a proposal may have a significant impact on these operations it must demonstrate how it will, in order of preference: <ol style="list-style-type: none"> <li>avoid,</li> <li>minimise,</li> <li>mitigate</li> </ol> adverse impacts, or <ol style="list-style-type: none"> <li>if it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding, supported by parties responsible for maritime SAR.</li> </ol>	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring.</p> <p>Vessel traffic data assessed in Volume II, Chapter 15: Shipping &amp; Navigation includes the capture of data relating to military vessels.</p> <p>Of relevance to Maritime Emergency Response factored-in measures include</p> <ul style="list-style-type: none"> <li>• Provision of self-help capability</li> <li>• Implementation of ERCoP</li> <li>• Implementation of MPCP</li> </ul> <p>The Developer also commits to an additional measure of consultation with the IRCG on SAR access. The Proposed Development (in compliance with paragraph c) has mitigated impacts, on Maritime Emergency Response (Search and Rescue (SAR), Maritime Casualty and Pollution Response) operations.</p> <p>The Proposed Development complies with Safety at Sea Policy 4.</p>

Policy Point	Description	Applicability to the Proposed Development and Compliance
<b>Sport and Recreation Policy 1</b>	Proposals that promote sustainable development of water-based sports and marine recreation, while enhancing community health, wellbeing and quality of life, should be supported, provided that due consideration is given to environmental carrying capacities and tourism pressures.	The Proposed Development is an offshore wind farm and not a project for promotion of the development of water-based sports and marine recreation. As such, Sport and Recreation Policy 1 is not of relevance to the Proposed Development.
<b>Sport and Recreation Policy 2</b>	Proposals should demonstrate the following in relation to potential impact on recreation and tourism: <ul style="list-style-type: none"> <li>The extent to which the proposal is likely to adversely impact sports clubs and other recreational users, including the extent to which proposals may interfere with facilities or other physical infrastructure.</li> <li>The extent to which any proposal interferes with access to and along the shore, to the water, use of the resource for recreation or tourism purposes and existing navigational routes or navigational safety.</li> <li>The extent to which the proposal is likely to adversely impact on the natural environment.</li> </ul>	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring.</p> <p>Of relevance to Sports and Recreation Policy 2, factored-in measures include:</p> <ul style="list-style-type: none"> <li>Application of a Vessel Management Plan (VMP) (Volume III, Appendix 25.7),</li> <li>Circulation of information via Notice to Mariners (NtM),</li> <li>Use of 'rolling'/temporary 500 m advisory safe passing distances surrounding the location of all proposed/fixed structures where work is being undertaken by a construction or maintenance vessel;</li> <li>Use of 'rolling'/temporary 500 m advisory clearance distances around installation/maintenance vessels;</li> <li>Use of 50 m advisory safe passing distances around all surface structures up until the point of commissioning.</li> </ul> <p>Impacts on recreational vessels, navigational safety, recreational users and tourism are assessed in Volume II, Chapter 15: Shipping &amp; Navigation, Chapter 19: Infrastructure and Other Users, and Chapter 21: Population and Human Health. The Proposed Development will not have adverse impacts on recreation and tourism.</p> <p>The Proposed Development complies with Sports and Recreation Policy 2.</p>
<b>Sport and Recreation Policy 3</b>	Opportunities to promote inclusive development of water-based sports and marine recreation should be supported, where appropriate and at the applicable scale, with a focus on facilities for people with disabilities	The Proposed Development is an offshore wind farm and not a project for promotion of the development of water-based sports and marine recreation. As such, Sport and Recreation Policy 3 is not of relevance to the Proposed Development
<b>Sport and Recreation Policy 4</b>	Proposals that improve access to marine and coastal resources for tourism activities, and sport and recreation should be supported, where appropriate, at the applicable scale and aligned with existing development plans	The Proposed Development is an offshore wind farm and not a to increase access to marine and coastal resources for sport and recreation. As such, Sport and Recreation Policy 4 is not of relevance to the Proposed Development
<b>Sport and Recreation Policy 5</b>	Proposals should seek to enhance water safety through provision of appropriate International Organization for Standardization (ISO) and European Committee for Standardization (CEN) compliant safety signage. In general the safety of persons should be a key consideration for planners and due consideration should be given to best practice guidance for marine and coastal recreation areas endorsed by the Visitor Safety in the Countryside Group.	<p>Lighting and marking as directed by CIL and in compliance with the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA) G1162 (IALA, 2021) and charting have been committed to by the Developer as factored-in measures.</p> <p>A Lighting and Marking Plan (LMP) has been submitted with the Application for the Proposed Development (Volume III, Appendix 25.6).</p> <p>The Proposed Development will also utilise the:</p> <ul style="list-style-type: none"> <li>Use of 'rolling'/temporary 500 m advisory safe passing distances surrounding the location of all proposed/fixed structures where work is being undertaken by a construction or maintenance vessel;</li> <li>Use of 'rolling'/temporary 500 m advisory clearance distances around installation/maintenance vessels;</li> <li>Use of 50 m advisory safe passing distances around all surface structures up until the point of commissioning;</li> <li>Information will be circulated via Notice to Mariners (NtM).</li> </ul>

Policy Point	Description	Applicability to the Proposed Development and Compliance
		<p>Further information of health and safety protocols can be found in Volume II, Chapter 4: Description of Development and Volume III, Appendix 25.10: Environmental Management Plan.</p> <p>The Proposed Development complies with Sports and Recreation Policy 5.</p>
<b>Telecommunications Policy 1</b>	Proposals that guarantee existing and future international telecommunications connectivity which is critically important to support the future needs of society, Government, the provision of Public Services and enterprise in Ireland, should be supported	The Proposed Development is an offshore wind farm. The Proposed Development is not designed to guarantee existing and future telecommunications connectivity. As such, Telecommunications Policy 1 is not of relevance to the Proposed Development.
<b>Telecommunications Policy 2</b>	<p>Preference should be given to proposals where evidence is provided of an integrated approach to development and activity, such as the bundling of cables (electricity and communications) where suitable, as well as pipelines for multiple activities, to minimise impacts on the marine environment, infrastructures and other users.</p> <p>Compatibility should be achieved, in order of preference, through:</p> <ol style="list-style-type: none"> <li>avoiding, or</li> <li>minimising, or</li> <li>mitigating adverse impacts, or</li> <li>If it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding.</li> </ol>	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring.</p> <p>The existing ABWP1 export cable is the only existing submarine cable in close proximity to the Proposed Development. There is limited potential for an integrated approach with the existing submarine cable for ABWP1 due to the fact that it has a different landfall location to ABWP2. Impacts on the existing ABWP1 export cable have been assessed in Volume II, Chapter 19: Infrastructure and Other Users.</p> <p>Of relevance to Telecommunications Policy 3, the following factored in measure applies: Coordination of cable crossing installations and ongoing consultation with Arklow Energy Limited.</p> <p>The EIAR concludes that there will be no significant adverse impact on the existing ABWP1 export cable.</p> <p>The Proposed Development complies with Telecommunications Policy 2.</p>
<b>Telecommunications Policy 3</b>	Preference should be given to proposals that protect submarine cables whilst achieving successful seabed user coexistence, such as the bundling of cables (electricity and communications) as well as pipelines for multiple activities where suitable. Proposals should specify if separate access to cables for the purposes of repair and maintenance is required. With regard to decommissioning redundant submarine cables, a risk-based approach should be applied with consideration given to cables being left in situ where this would minimise significant impacts on the physical, natural, societal, historic, and economic value of the area	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring.</p> <p>Impacts on the existing ABWP1 export cable have been assessed in Volume II, Chapter 19: Infrastructure and Other Users. The existing ABWP1 export cable is the only existing submarine cable in close proximity to the Proposed Development.</p> <p>Of relevance to Telecommunications Policy 3, the following factored in measure applies: Coordination of cable crossing installations and ongoing consultation with Arklow Energy Limited.</p> <p>The EIAR concludes that there will be no significant adverse impact on the existing ABWP1 export cable.</p> <p>The Proposed Development complies with Telecommunications Policy 3.</p>
<b>Telecommunications Policy 4</b>	Proposals that ensure and enhance connectivity of Ireland's rural and island communities to high quality telecommunications networks should be supported.	The Proposed Development is an offshore wind farm. The Proposed Development is not designed to ensure and enhance connectivity of Ireland rural and island communities to high quality telecommunications networks. As such, Telecommunications Policy 4 is not of relevance to the Proposed Development.
<b>Tourism Policy 1</b>	Where appropriate, proposals enabling, promoting or facilitating sustainable tourism and recreation activities, particularly where this creates diversification or additional utilisation of related facilities beyond typical usage patterns, should be supported	The Proposed Development is an offshore wind farm. The Proposed Development is not designed to enable, promote or facilitating sustainable tourism and recreation activities networks. As such, Tourism Policy 1 is not of relevance to the Proposed Development.

Policy Point	Description	Applicability to the Proposed Development and Compliance
<b>Tourism Policy 2</b>	Proposals must identify possible impacts on tourism. Where a potential significant impact upon tourism is identified it should be demonstrated how the potential negative consequences to tourism in communities will be minimised. This must include assessment of how the benefits of proposals are not outweighed by potential negative impacts	<p>An EIAR has been submitted with the Application for the Proposed Development.</p> <p>A number of designed-in measures and management measures (or controls) have been factored into the Proposed Development and are committed to be delivered by the Developer as part of the Proposed Development. The full suite of Factored-in measures can be found in Volume II, Chapter 25: Factored-In Measures, Mitigation and Monitoring.</p> <p>Impacts on tourism have been assessed in Volume II, Chapter 21: Population and Human Health.</p> <p>The following factored-in measures of relevance to tourism have been applied:</p> <p>Appointment of a Community Engagement Manager during the pre-construction and construction phase.</p> <p>The EIAR concludes that there will be no significant adverse impact on tourism.</p> <p>The Proposed Development complies with Tourism Policy 3.</p>
<b>Tourism Policy 3</b>	Proposals for tourism development should seek to optimise facilities and use of space by taking a cross-sectoral development approach that provides for multiple activities, whilst minimising the extent to which the proposal is likely to adversely impact on the natural environment.	The Proposed Development is an offshore wind farm. The Proposed Development is not designed to optimise space for tourism. As such, Tourism Policy 3 is not of relevance to the Proposed Development.
<b>Wastewater treatment and disposal Policy 1</b>	<p>Proposals by Irish Water related to the treatment and disposal of wastewater that:</p> <ol style="list-style-type: none"> <li>i. service the social and economic development of the country under the National Planning Framework;</li> <li>ii. resolve environmental issues at priority areas identified by the EPA;</li> <li>iii. contribute to the realisation of the objectives of: <ul style="list-style-type: none"> <li>• Ireland’s River Basin Management Plan 2018 – 2021</li> <li>• The Water Services Policy Statement 2018 – 2025</li> <li>• Marine Strategy Framework Directive 2012 - 2020</li> </ul> </li> </ol> <p>should be supported, provided they fully meet the environmental safeguards contained within relevant authorisation processes.</p>	The Proposed Development is not an application by Irish Water. As such, Wastewater treatment and disposal Policy 1 is not of relevance to the Proposed Development.
<b>Wastewater treatment and disposal Policy 2</b>	<p>Proposals that have the potential to significantly adversely affect existing and planned wastewater management and treatment infrastructure where a consent or authorisation or lease has been granted or formally applied for by Irish Water should not be authorised unless:</p> <ul style="list-style-type: none"> <li>• compatibility with the existing, authorised, proposed or otherwise identified in consultations with Irish Water activity, can be satisfactorily demonstrated;</li> <li>• the proposal is clearly of strategic or national importance.</li> </ul> <p>Where possible, proposals that may affect Irish Water activities or plans should engage with Irish Water at the earliest available opportunity.</p>	Wastewater Treatment and Disposal Policy 2 is not relevant to the Proposed Development. The Proposed Development has no impact on wastewater management or treatment.

Policy Point	Description	Applicability to the Proposed Development and Compliance
	<p>Compatibility should be achieved, in order of preference, through:</p> <ul style="list-style-type: none"> <li>a) avoiding adverse impacts on those activities; and / or</li> <li>b) minimising impacts where they cannot be avoided; and / or</li> <li>c) mitigating impacts where they cannot be minimised.</li> </ul>	

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