[submitted via online application]
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Planning Department,
County Hall,
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Swords,
Co. Dublin

Friends of the Earth
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Dublin 2
D02 K659

30 January 2022

RE Case FW22A/0308: Universal Developers LLC application for a seven year planning permission for data centre development on a site at Cruiserath Road, Dublin 15

Dear Sir/Madam,

Friends of the Earth wishes to make observations on case reference FW22A/0308. Friends of the Earth's objections are set out in the sections below.

Climate Act and Carbon Budgets

- The Government passed a new Climate Act in July 2021[1] which introduces a climate neutrality target for 2050, as well a 51% emissions reduction target by 2030. 5-year carbon budgets and sectoral emissions ceilings in accordance with these targets are to be produced imminently. The applicant fails to address how significant increases in electricity demand and emissions increases associated with increased electricity generation is compatible with the state's legal targets. The estimate given by the applicant for this Amazon complex represents a 1% increase in Ireland's annual emissions. We not consider decarbonisation measures noted in the application sufficient to offset such increases.
- We note with concern the absence of detailed information and proper assessment of GHG emissions impacts stemming from the proposed developments. A central element in considering such a project must be that energy developments do not lock-in long-term emissions and must be in accordance with sectoral emissions ceilings. Such plans must align with carbon budgets and carbon budgets must be in accordance with the 51% mitigation target by 2030 and net zero target by 2050 (as set out in Ireland's 2021 Climate (Amendment) Act). While the applicant refers to NZEB and NEAP requirements, the applicant fails to address compliance with carbon budgets approved by Government in 2022, including the 75% required by the electricity sector and the legally binding 40 MtCO2eq carbon budget to 2025 and 20 budget to 2030.[2]
- It is important to note that the participation of the development in the EU Emission Trading Scheme and purchase of associated allowances/permits relates to mitigation obligations under **EU climate law**, including the EU Effort Sharing Decision**.** Compliance with EU commitments does not negate, prevent or act in place of national carbon budgets and sectoral emissions ceilings in accordance with 2015 Climate Act as amended in 2021.**We would underline that that the 2021 Climate Act essentially requires an entirely decarbonised energy system by 2050 in order to align with the net zero pathway.**
- We would underline that that the 2021 Climate Act essentially requires an entirely decarbonised energy system by 2050 in order to align with the net zero pathway. Data centre development is closely linked to the increased gas-fired generation. The applicant provides no information as to how emissions associated with operation of plant over future decades are in accordance with a decarbonised system. We therefore urge that the application is rejected.
- The 202,139 tonnes of CO_2 per annum to be emitted by the proposed development, as indicated by the submitted EIAR, would *increase* Ireland's greenhouse gas (GHG)

[1] See Climate Action and Low Carbon Development (Amendment) Act 2021.
[2] See https://www.climatecouncil.ie/carbonbudgets/ and https://www.gov.ie/en/publication/76864-sectoral-emissions-ceilings/

emissions by 0.33% of 2018 emissions during a period where, by law, emissions *must be reduced in accordance with sectoral emissions ceilings and carbon budgets.*

- Eirgrid estimates that data centres could account for up to 27% of Ireland's electricity demand by 2028, and up to 50% of new electricity demand growth (Eirgrid, 2021). It is crucial that Fingal County Council takes into consideration the cumulative impact of data centres' energy demand on a nationwide basis, as opposed to examining impact solely on a case-by-case basis. This application would entail additional energy demand which is not met by on-site or new off-site renewable electricity generation.

Obligations on County Council

- The Council is required to have regard to climate change mitigation in making its decision on this application. Under the 2015 Climate Act (as amended by the 2021 Climate Amendment Act), public bodies, including County Councils are obliged to "*perform...functions in a manner consistent with—(a) the most recent approved climate action plan; (b) the most recent approved national long term climate action strategy, (c) the most recent approved national adaptation framework and approved sectoral adaptation plans, (d) the furtherance of the national climate objective, and (e) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State*."[3]
- It is therefore essential that the County Council ensures the development acts in accordance with the Government's Climate Action Plan. The latest Plan produced in December 2022 notes that demand growth from data centres will need to be "moderated" and "achieve carbon-free demand" and puts forward the development of a new National Demand Side Strategy with specific obligations on new data centres. It also states the Government "will assess whether mandated caps on any increase in fossil fuel demand by large energy users could be put in place from 2026".[4]
- In order to ensure alignment with these obligations, it is essential that the Council assesses how any polluting emissions associated with the proposed development will be prevented, reduced or not locked-in. The applicant has failed to set out the likely emissions associated with the plant or demonstrate the necessary prevention or mitigation of associated emissions. We therefore urge that the application is rejected.

Data Centre as Driver of Electricity and Gas Demand

We strongly reject the assertion that the cumulative impact on climate is "indirect, long-term, negative and slight" in light of "use of electricity to power the facility will achieve net zero by 2050 and the commitment to offset all interim fossil fuel derived GHG emissions by the purchase of CPPAs".

We note that buildings F and G would be constructed "based on power becoming available in 2025 and 2026 which aligns with AWS's current forecasted business demands" under a provision in AWS's 2017 connection agreement with EIRGRID. This entails essentially a reliance on increased gas generation to meet such power demand.

University College Cork MaREI centre produced detailed research on behalf of Friends of the Earth on 'Irish electricity and gas demand to 2050 in the context of climate commitments.[5] This includes the following findings which support rejection of the application given lack of compliance with climate obligations:

- *Significant growth in data centre electricity demand would substantially increase the challenges of meeting legally binding Sectoral Emissions Ceilings. If data centre growth uses a significant proportion of increasing renewable electricity generation, this will limit the potential for transport, buildings and industry sectors to meet their decarbonisation commitments.*

[3] Section 15 7(1) 2015 Climate Act

[4] https://www.gov.ie/en/publication/7bd8c-climate-action-plan-2023/

[5] https://www.friendsoftheearth.ie/assets/files/pdf/ucc_marei_-_research_report_-_final.pdf

- *Data centres are the largest recent and projected driver of electricity demand growth this decade. Metered electricity consumption is growing by 0.3-0.9 TWh each year and is accelerating.*
- *Electricity demand growth from data centres creates an upwards pressure on power generation, which will drive additional fossil fuel usage and associated CO2 emissions until the power grid is fully decarbonised.*
- *Should all projects be completed, power demand capacity would triple. In addition, data centres are being built with on-site power generation capacity; however, Minister Eamon Ryan issued an instruction to Gas Networks Ireland to cease issuing any more connection contracts which would enable data centres to be mainly fuelled by onsite fossil fuel generation. https://www.rte.ie/news/ireland/2022/1014/1329211-data-centres/*

The MarEI centre has also noted a pause in the connection of new data centres as the most impactful single action the Government can take to reduce electricity demand.

Environmental and Health Impacts

- The limited information is not sufficient to be certain that the proposed development will not result in significant adverse impacts on green infrastructure, biodiversity, ecology, in the area due to both construction, operation, traffic and use of diesel generators. The proposed development would materially contravene Objectives NH27, GI22, NH20, CH05 and CH06 of the Fingal County Development Plan 2017-2023, would set a poor precedent for other similar development and would therefore be contrary to the proper planning and sustainable development of the area.
- The applicant has not addressed adverse health impacts for local communities and schools associated both with construction, ongoing emissions and air pollution, in particular from 'renewable diesel' in the greater Blanchardstown and Kilshane areas. There are a number of Traveller sites located nearby and residents at these sites already face a greater burden of chronic diseases (including respiratory) than the settled population.[6]

Fingal Development Plan

- The applicant has not clarified how the proposed plant, and associated long-term emissions, are in accordance with the objectives of the Fingal Development Plan 2017-2023, particularly in relation to climate action. We note in particular the aim to '*Promote, drive and facilitate the transition in the future to* ***an entirely renewable energy supply'*** and *'Incorporate sustainable development,* ***climate change mitigation and adaptation'.*** The applicant has not addressed how demand or emissions would be reduced or provide a coherent set of abatement measures. We also note in the Council Development Plan, main aims to ***'Minimise the impact of the County's contribution to climate change****, and adapt to the effects of climate change, with particular reference to the areas of land use,* ***energy****, transport, water resources, flooding, waste management and biodiversity...'* and to '*Develop, in consultation with stakeholders appropriate strategies and policies to facilitate a* ***reduction in green house and carbon emissions*** *and development of a sustainable energy and climate change action plan for the County'*

Data Centre Policy

- Bill Thomson, Eirgrid Group Head of Regulation wrote to the CRU in 2021 to note that "Ireland's electricity system was surely not planned to be, nor designed to be, a system which seeks to serve the needs of the global citizen for increased data supported by an

[6] See All Ireland Traveller health Study, 2010
https://www.paveepoint.ie/wp-content/uploads/2013/10/AITHS-Booklet-Sep.12.pdf

ever proportionately smaller non-data centre commercial, industrial and domestic load."[7]

- In relation to the proposal to develop data centres on the site, we also wish to highlight that the applicant does not address the Government's new 'Statement on the Role of Data Centres in Ireland's Enterprise Strategy', July 2022. This statement notes the gas crisis and security concerns and compliance with sectoral emissions ceilings are noted in the Statement (see above).[8]

Renewables and Use of 'Renewable/Bio Diesel'

- We do not consider the applicant's information on renewables assets in Ireland, use of CPPAs and explanation of Amazon's global renewables portfolio to be sufficient to offset its significant emissions impact due to increased electricity demand. This application refers (page 9 of the EIAR non-technical summary) to Amazon's commitment to offtake 100% of the power from existing renewable wind projects in Cork, Donegal, and Galway which are projected to add 229 MW of renewable energy to the Irish grid and touts that it is the largest corporate buyer of renewable energy in the country. It also includes plans for generation of on-site renewable energy via 285 solar PV modules. It is incumbent on the applicant to put forward detailed information on the prevention of emissions on site and the development should not be approved where it cannot demonstrate compliance with Ireland's legally binding climate targets.
- Since this plant cannot be powered entirely by renewable energy, it will lead to an increase in Ireland's GHG emissions between now and 2030, contravening the Climate Act, Climate Action Plan, and National Planning Framework. As powering the data centre entirely with onsite or new off-site renewable energy would not be feasible based on this application, permission for its development should be refused.
- The potential for on site generators to result in significant increases in emissions has not been sufficiently assessed. This planning application features 39 emergency diesel generators and diesel fuel tanks, which will result in fossil fuels being used to power the data centre, at minimum for 18 hours but *potentially up to 500 hours per year*. The emissions impact of standard diesel use in such tanks is not addressed which constitutes a significant gap.
- We strongly reject the assertion that the proposed use of 'renewable diesel' will have significant environmental and sustainability benefits:

1) The diesel used may not necessarily be renewable, as this is "subject to availability". In the event that renewable diesel is not available, and fossil diesel is used even for only 18 hours per year, this could emit the equivalent of 3,300 tonnes of CO2 per year, or 89,100 tonnes if used 500 hours per year.
2) These emissions (resulting from what is known as indirect land-use change, or ILUC) associated with renewable diesel itself are extremely high when taking into account the whole life-cycle emissions.
3) The EU adopted a delegated act which labels palm oil diesel as unsustainable, meaning that this biofuel will no longer be counted as a green fuel to meet the EU's 2030 renewable targets, although exemptions remain.[9]
4) Biodiesel from palm oil is three times worse for the climate than regular diesel while soy oil diesel is two times worse, according to a European Commission study. Growing demand for biofuels like palm oil increases pressure on agricultural land which leads to deforestation.[10]

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[7] https://www.independent.ie/irish-news/regulator-proposes-data-centrecurb-after-new-power-supply-riskwarning-40517887.html

[8] https://enterprise.gov.ie/en/publications/publication-files/government-statement-on-the-role-of-data-centres-in-irelands-enterprise-strategy.pdf

[9] https://www.transportenvironment.org/challenges/energy/biofuels/

[10] https://www.transportenvironment.org/discover/palm-oil-not-green-fuel-says-eu/

In light of the above, we urge Fingal County Council to reject the application.

We would like to thank Fingal County Council for their consideration of the above sections and would be happy to provide further information upon request.

Is mise le mórmheas

Jerry Mac Evilly,
Head of Policy
Friends of the Earth