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An Taisce Opening Statement to the Joint Oireachtas Committee on Climate, Environment and Energy Regarding the General Scheme of the Strategic Gas Emergency Reserve Bill 2025

An Taisce very much welcomes the opportunity to appear before the Committee to discuss the General Scheme of the Strategic Gas Emergency Reserve Bill 2025. An Taisce has multiple serious concerns regarding the Heads of Bill. These include its implications for the climate and biodiversity crises, the limitations of the project in addressing energy security, and the threat it poses to the integrity of the planning process.

The physical, human and economic impacts of climate change, illustrated by extreme weather events, have never been more evident. The proposed project, which represents close to a €1bn investment in new fossil fuel infrastructure, is completely inconsistent with Ireland's legal climate obligations, recognition in national policy of the need for fossil fuel phase out, and our international commitments. Liquefied Natural Gas (LNG) is a highly emissions-intensive fossil fuel, far more so on a full lifecycle basis than conventional gas, and even coal. This project, if operating as an emergency reserve, is estimated to require six top up LNG shipments per annum, with a minimum send out of gas to the national network. Compliance with the national carbon budget programme and the Climate Action and Low Carbon Development Act 2015 as amended, requires that consumption of all fossil fuels, including natural gas, must decline rapidly over the coming decade and beyond. Deployment of any additional fossil fuel import infrastructure would work directly against that requirement. Head 20 of this Bill states that the development is "deemed to be in compliance" with the provisions of the Climate Act. However, it is not clear how this conclusion has been reached. Simply deeming compliance via legislation without actually testing for compliance is extraordinarily poor practice. The Heads of Bill and underlying rationale also appear to offer no acknowledgement of methane leakage potential and consequent emissions across the entire LNG supply chain.

It is indicated in this Bill that the proposed Strategic Gas Emergency Reserve facility is a transitional measure. The Climate Act sets out a framework of rolling carbon budgets of an increasingly stringent nature. Section 6D(5) of the Climate Act provides for exceedances of carbon budgets to be carried over into subsequent ones, meaning that, within the timeframe of an emergency reserve facility, carbon budgets will become stricter, leaving little room for additional fossil fuel infrastructure. It appears to be proposed to split the legislation for the operation and decommissioning of the proposed facility into a separate bill, which we consider to be problematic. If the proposed project is a transitional measure, as stated in the Bill, this current Bill should also explicitly state that the overarching approach of the state to ensuring strategic national energy and climate security, is to rapidly phase out all use of fossil fuels, specifically including natural gas. The Bill should also explicitly provide for the transitional and temporary nature of the proposed project, in line with the carbon budgets and Climate Act.

In addition, the Heads of Bill do not appear to include any conditions which confirm that the proposed facility would be operated as a State-owned Strategic Gas Emergency Reserve only. Head 8 states that Gas Networks Ireland, or such other entity that may be prescribed by the Minister, may apply to the Minister for approval to carry out the designated development. The explanatory note clarifies that if the Minister deems it expedient, a public or private body may make the application on behalf of Gas Networks Ireland. Without prejudice to our stance against further development of fossil fuel

infrastructure, An Taisce considers that no private, commercial body should be allowed to develop this project.

The proposed project has been put forward as an energy security measure. However, it does not offer energy security in extreme weather events, and furthermore, it is not the only available solution. As CEPA's updated 2025 study on security of energy supply outlines, energy security could be supported through multiple alternative options. More fundamentally, gas, particularly gas imported from the US, is an energy security risk in itself. Renewable energy has also become cheaper, more efficient and abundant since the energy security review. In the EU in 2025, more electricity was generated by wind and solar than fossil fuels for the first time, and it is now cheaper to produce wind, solar and battery storage than coal and gas.

There are also significant social justice implications of importing LNG. LNG is typically obtained by fracking, a method of extraction we have banned in Ireland, which has serious environmental and health impacts. Importing LNG would support the fracking industry and exploit vulnerable communities, and increase Ireland's exposure to the many human rights abuse controversies related to LNG production and expansion. In Ireland, the estimated project cost of €900 million over 10 years is expected to be funded by a household levy. This would impose costs directly on consumers when electricity prices in Ireland are already among the highest in the EU.

With regard to planning, this Bill is proposing to disapply the existing planning procedures as set out in the 2000 and 2024 Planning Acts and to create an entirely new procedure for this particular development. Without prejudice to our position on the need for the rapid phase out of fossil fuels and against further LNG infrastructure development, we are opposed to this proposal and would highlight that choosing to diverge from the well-established standard planning procedures opens up multiple potential avenues for legal challenge to a novel and un-tested planning process. This risk is compounded by the very worrying lack of clarity on and problems with numerous aspects of this process throughout the Heads of Bill. We refer the Committee to An Taisce's submission to the public consultation on the Heads of Bill for more detail on what we consider to be multiple serious flaws with the approach proposed. These issues significantly raise the risk of unlawful decisions which of course then risks additional delay - precisely the opposite of what this Bill is purportedly trying to do. We also highlight the significant risks that come with expedited planning timelines, as proposed in the Heads of Bill. Unrealistic timelines that are inappropriate for the development type or its complexity can incentivise rushed or poorer quality decision making, thereby increasing the possibility of unlawful decisions, legal challenges and delays.

We also have serious concerns about the very limited provisions regarding public participation. The minimum window for public comment is short compared to that provided for in the current planning processes, and comment appears to be limited to certain environmental considerations to do with the EIAR and Appropriate Assessment. Public comment on any other aspect of the development does not appear to be permitted.

Furthermore, the proposed planning process represents a very significant centralisation of a planning power with the Minister. As the Minister, whoever they may be at the time, and the Department do not currently act as a planning authority, it must be ensured that the relevant expertise is available for assessing and deciding on such a complex proposal.

Ultimately, if the strategic reserve goes ahead per current Government plans, we strongly recommend that the highly problematic planning procedure as laid out in the Heads of Bill is dropped and that any planning proposal for a strategic reserve go through the already established planning and permitting channels. We also strongly recommend that the Bill is independently assessed against our national, European and international legal obligations, including but certainly not limited to the Aarhus

Convention on the rights to public participation and access to justice, the Environmental Impact Assessment Directive, the Habitats and Birds Directives. Such assessments should be made publicly available, as should all evidence, data and rationale that have informed the development of this proposed legislation.

We again thank the Committee for inviting us here today and look forward to the discussion.