

From: [REDACTED]
Sent: Tuesday 31 March 2020 18:49
To: foreshore <foreshore@housing.gov.ie>
Subject: Submission to application FS007062

To: Marine Planning Policy and Development, Department of Housing, Planning, and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie
From: [REDACTED], An Spidéal, Co. na Gaillimhe & [REDACTED] Wild Ireland Defence CLG.

Re: Submission to Application FS007062 (SEAI SAIPAM Site Investigation for Floating Offshore Wind testing at AMETS Site Mayo)
Date: 31/03/2020

A Chara,

This submission is made in good faith and in support of sustainable development, particularly in light of the alarming and unprecedented rate of decline in biodiversity, as discussed in recent reports available at:

1. <https://iwt.ie/press-release-new-report-highlights-the-extent-of-the-irish-extinction-crisis/>
2. <https://www.un.org/sustainabledevelopment/blog/2019/05/nature-decline-unprecedented-report/>

This submission objects to granting Foreshore Licence Application Ref: FS007062 since it is not compliant with case law; see Kelly -v- An Bord Pleanála [2014] IEHC 400 (25 July 2014):

"26. There is a dispute between the parties as to the precise obligations imposed on the Board in relation to the stage 1 screening by s.1777U but its resolution is not strictly necessary in these proceedings. There is agreement on the nature and purpose of the screening process which is well explained by Advocate General Sharpston in Case C-258/11 *Sweetman* at paras 47-49:

"47. It follows that the *possibility* of there being a significant effect on the site will generate the need for an appropriate assessment for the purposes of Article 6(3). The requirement at this stage that the plan or project be likely to have a significant effect is thus a trigger for the obligation to carry out an appropriate assessment. There is no need to *establish* such an effect; it is, as Ireland observes, merely necessary to determine that there *may be* such an effect."

Please forward an acknowledgement of submission receipt. Please also email the outcome of the Minister's consent decision regarding the application ref: FS007062 as soon as it becomes available for the public.

Is mise le meas,

[REDACTED] agus [REDACTED] Wild Ireland Defence CLG.