

Crory, Ferns, Co. Wexford, Y21 XV44, Ireland Phone: 00 353 53 9133048

email: <u>sales@irishseacontractors.com</u> web: <u>www.irishseacontractors.com</u>

Marine Planning and Foreshore Section Department of Housing Planning and Local Government Newtown Road Wexford

2nd July 2019

Re: Letter of Support for Offshore Wind Project Related Foreshore Activity Applications
References: FS006983 SSE Renewables Celtic Sea & FS006973 SSE Renewables Braymore Point

To whom it may concern

On behalf of the Directors of Irish Sea Contractors, please accept this letter as a register of our support for the above named Offshore Wind Project related Foreshore Activity Applications to undertake Geophysical, Geotechnical and Environmental Site Investigation works.

Having been involved internationally as a contractor during the construction and operations of offshore wind farm projects, we believe it is critical for a prospective offshore wind developer to undertake detailed site investigations, both subsea and on land to determine the most advantageous technical and commercial solution. Such activity is critical to permit the developer to understand and incorporate any environmental restrictions and concerns and a lack of such data can in our experience hamper the project's development.

We are convinced that the development of new offshore wind farm projects in Ireland will not only contribute significantly to our country's reduction in greenhouse gas emissions but will moreover contribute meaningfully to our country and country's economies in both socio and economic terms. Our company employs a large team of highly skilled and specialised personnel, ready to take on the challenge of delivering offshore wind in Ireland and we have made significant investments in preparation to support Ireland's offshore wind ambitions. New local specialised jobs will be created by the construction and operation of these projects, and we believe the above named applications will be critical to encourage SSE to deliver these projects. In closing, we would urge the Department of Housing to approve these activities without delay.

Yours Sincerely

David Kinsella Managing Director RECEIVED

0 4 JUL 2019

MARINE AND FORESHORE WEXFORD

UNDERWATER ENGINEERING SPECIALISTS















Marine Planning and Foreshore Section,

Department of Housing,

Planning and Local Government,

Newtown Road,

Wexford,

Co. Wexford.

RECEIVED

0 5 JUL 2019

MARINE AND FORESHORE WEXFORD

Planning Application Reference Number: FS006983

Applicant: SSE Renewables Celtic Sea

Description of Development: Geophysical, Geotechnical and Environmental Site Investigation

works

Location: Off Bunmahon Bay, Co. Waterford and Bannow Bay, Co. Wexford

To whom it Concerns,

I refer to the above planning application & wish to make the following submission/objection in relation to the proposed development.

I am making this response as a person directly dependent on a Commercial Inshore Fishing Enterprise, which will be negatively impacted by this proposed development.

- As a member of the inshore Fishing Sector I'm deeply disappointed that there was NO
 consultation with the sector and it's representatives, by the applicant, at the pre
 application stage. This is in spite of the guidelines published on your website.
- Based on my personal experience, level of Inshore Fishing activity described in the
 application is grossly under estimated. This may be partly due to the fact that it is
 mostly compiled by using AIS data, but pre application consultation would have
 greatly helped putting an accurate picture of activity in place.
- I acknowledge that this application is for site investigation works, but I believe that
 these works will negatively affect the financial viability of the fishing enterprise I
 depend on, for my lively hood. The fishing operation I depend, operates in the
 following areas, at the following times for the following species, fishing by means of
 the following methods, and I fear the proposed works will prevent It from doing the
 same

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Pat ONeill

SUBMISSION 3

Subject:

SSE Renewables (Ireland) Ltd - FS 006983 AND Viridian Renewables ROI Ltd - FS 006982

From:

Sent: 04 July 2019 18:13

To: foreshore <foreshore@housing.gov.ie>

Subject: Re: Objection to wind turbines south coast

I am referring to the windmills south of the hook head the only scallop ground left in the whole country 8 large scallop boats relying on this not to mention how many small ones, as well as all beam trawl and other trawlers that rely on this ground for fishing it will kill us..thanking you

On Thu, 4 Jul 2019, 10:23 foreshore, < foreshore@housing.gov.ie > wrote:

Dear

I wish to acknowledge receipt of your submission of yesterday's date.

In order that you submission can be recorded, please confirm the foreshore application you are referring to.

Yours sincerely,

Patrick O'Neill

Foreshore Section

From:

Sent: 03 JULY 2019 21:03

To: foreshore <foreshore@housing.gov.ie>

Subject: Wind turbines south coast

I object to these windmills im a scallop fisherman and my main area for fishing is this area, when use built these in the irish sea they smothered every shellfish for 200 mile radius. we will be left with no livilihood not that this matters to any of use but it does to some.

Marine Planning and Foreshore Section,

Department of Housing,

Planning and Local Government,

Newtown Road.

Wexford,

Co. Wexford.

Planning Application Reference Number: FS006983

Applicant: SSE Renewables Celtic Sea

Description of Development: Geophysical, Geotechnical and Environmental Site Investigation

works

Location: Off Bunmahon Bay, Co. Waterford and Bannow Bay, Co. Wexford

To whom it Concerns,

I refer to the above planning application & wish to make the following submission/ objection in relation to the proposed development.

I am making this response as a person directly dependent on a Commercial Inshore Fishing Enterprise, which will be negatively impacted by this proposed development.

- As a member of the Inshore Fishing Sector I'm deeply disappointed that there was NO
 consultation with the sector and it's representatives, by the applicant, at the pre
 application stage. This is in spite of the guidelines published on your website.
- Based on my personal experience, the level of Inshore Fishing activity described in the
 application is grossly under estimated. This may be partly due to the fact that it is
 mostly compiled by using AIS data, but pre application consultation would have
 greatly helped putting an accurate picture of activity in place.
- I acknowledge that this application is for site investigation works, but I believe that
 these works will negatively affect the financial viability of the fishing enterprise I
 depend on, for my livelihood. The fishing operation I depend on, operates in the
 following areas, at the following times, for the following species, fishing by means of
 the following methods, and I fear the proposed works will prevent It from doing the
 same
- Operating in the area bound by the following latitude and longitude coordinates
 52.09.80 00644.00 west to 52.05.88 00726.45 west to mine head this is out Northern trawling tows

The fishing operation I'm dependant on, traditionally fishes for (cross out as appropriate) crustacean shellfish/whitefish/bi valve mollusc/whitefish/pelagic fish Other species, during the mouths of we Trawl for prawns and whitefish all year round South of the above coordinates

By means of (cross out as appropriate) pots/static nets/demersal trawl/mid water trawl/bottom dredge/hooks and lines/other.

- Operating in the area bound by the following latitude and longitude coordinates
- We use bottom trawling south of this line 52.09.80 006.4400 west to 52.0586 007.26.46 west to mine head and west of that

The fishing operation I'm dependant on, traditionally fishes for (cross out as appropriate) crustacean shellfish/whitefish/bi valve mollusc/whitefish/pelagic fish, other species, the prawns and whitefish we trawl for is all year round we Also fish for scallops from Bagan bun head to Helvick head

We fish for herrings and sprat 1 to 2 miles off shore from bagan bun head to Helvick head form November To February. Every year

Outside of the specific areas in which this enterprise fishes, it is reliant on others areas covered by the application for safe navigational passage to and from the fishing Grounds or the following safe Harbour's Dunmore east and Duncannon I would also like to raise the following points

I have a mortgage On my boat and house fishing is my livelihood If I cannot fish in that area I will be put out of Business

My fishing boat is Under 10 m I am the only under 10 meter Fishing vessel trawling

East of Helvick I have fished there all my life I am deeply worried about losing my livelihood

To this proposed Wind farm

Phone no:	
Email	
Signed	
Date 09/07/19	

Marine Planning and Foreshore Section,

Department of Housing,

Planning and Local Government,

Newtown Road,

Wexford,

Co. Wexford.

Planning Application Reference Number: FS006983

Applicant: SSE Renewables Celtic Sea

Description of Development: Geophysical, Geotechnical and Environmental Site Investigation

works

Location: Off Bunmahon Bay, Co. Waterford and Bannow Bay, Co. Wexford

To whom it Concerns,

I refer to the above planning application & wish to make the following submission/ objection in relation to the proposed development.

I am making this response as a person directly dependant on a Commercial Inshore Fishing Enterprise, which will be negatively impacted by this proposed development.

- As my husband is a member of the Inshore Fishing Sector we are deeply disappointed that there was NO consultation with the sector and its representatives, by the applicant, at the pre application stage. This is in spite of the guidelines published on your website.
- Based on my husbands personal experience, the level of Inshore Fishing activity
 described in the application is grossly under estimated. This may be partly due to the
 fact that it is mostly compiled by using AIS data, but pre application consultation would
 have greatly helped putting an accurate picture of activity in place.
- We acknowledge that this application is for site investigation works, but we believe that these works will negatively affect the financial viability of the fishing enterprise we depend on, for our livelihood. The fishing operation we depend on, operates in the following areas, at the following times, for the following species, fishing by means of the following methods, and we fear the proposed works will prevent it from doing the same
- Operating in the area bound by the following latitude and longitude coordinates
 52.09.80 00644.00 west to 52.05.88 00726.45 west to mine head this is out Northern trawling tows

The fishing operation we are dependent on, traditionally fishes for (cross out as appropriate) crustacean shellfish/whitefish/bi valve mollusc/whitefish/pelagic fish Other species, during the mouths of which we Trawl for prawns and whitefish all year round.

South of the above coordinates

By means of (cross out as appropriate) pots/static nets/demersal trawl/mid water trawl/bottom dredge/hooks and lines/other.

- Operating in the area bound by the following latitude and longitude coordinates
- We use bottom trawling south of this line 52.09.80 006.4400 west to 52.0586 007.26.46 west to mine head and west of that The fishing operation we are dependent on, traditionally fishes for (cross out as appropriate) crustacean shellfish/whitefish/bi valve mollusc/whitefish/pelagic fish, other species, the prawns and whitefish we trawl for is all year round we Also fish for scallops from Bagan bun head to Helvick head We fish for herrings and sprat 1 to 2 miles off shore from bagan bun head to Helvick head from November To February every year

Outside of the specific areas in which this enterprise fishes, it is reliant on others areas covered by the application for safe navigational passage to and from the fishing Grounds or the following safe Harbour's Dunmore east and Duncannon we would also like to raise the following points:

- We have a mortgage on our boat and house. Fishing is our livelihood
- If my husband cannot fish in that area we will be put out of Business
- His fishing boat is Under 10 m and he is the only person with an under 10 meter
 Fishing vessel trawling East of Helvick, where he has fished all of his life I am deeply
 worried about losing our livelihood to this proposed Wind farm

Phone no	
Email	
Signe	
Date 09/07/19	

to	res	h	0	re

From:	
Sent:	

18 July 2019 18:37

To:

foreshore

Subject: Wind turbines south coast

I object to these windmills off the hook head im a scallop fisherman and my main area for fishing is this area, when use built these in the irish sea they smothered every shellfish for 200 mile radius.. we will be left with no livilihood not that this matters to any of use but it does to some..



Trudy McIntyre
Chair, National Inshore Fisheries Forum
c/o NIFF Secretariat
Bord Iascaigh Mhara
Crofton Road
Dun Laoghaire
Co. Dublin

Foreshore Section
Department of Housing, Planning
and Local Government
Newtown Road
Wexford

18TH July 2019

Ref No. FS006983

To whom it may concern:

The National Inshore Fisheries Forum welcomes the opportunity to make a submission on the application for a Foreshore Consent by SSE Renewables Ireland for the purpose of carrying out site investigation works to assess the viability of areas off Bunmahon Bay, County Waterford and Bannow Bay Co. Wexford for the potential development of an offshore windfarm approximately 25km offshore.

To give you some background the National Inshore Fisheries Forums was established in 2014 to encourage fishermen using small vessels to participate in the management of fisheries within 6 nautical miles of the coast. The National Inshore Fisheries Forum is supported by six regional Fisheries Forums who bring forward regional proposals to NIFF for wider industry discussion.

To say we are disappointed with the total disregard of the inshore fishing industry by this applicant, is an understatement. As the largest stakeholders in our coastal waters and as the consultative structure for the Inshore Fishing Sector we are deeply disappointed that there was NO consultation with the sector and it's representatives by the applicant, at the pre-application stage. This is in spite of the guidelines published on your website. We also understand that as part of a planning conditions for a wind farm the applicant must have a fisheries liaison officer in place. Although SSE representatives have met with the SE Regional Inshore Fisheries Forum in April 2019 in regard to the development of wind turbines at the Arklow Bank there has been no contact in regard to the application above by SSE Renewables. Inshore fishermen are working within the areas covered by this application for foreshore consent however they were not consulted.

The NIFF have recently become aware of a number of windfarm foreshore applications and wish to first make the following general points:.









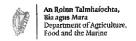


- Based on our collective experience, the level of Inshore Fishing activity described in the
 application is grossly under estimated. This may be partly due to the fact that it is mostly
 compiled by using AIS data, but pre-application consultation would have greatly helped
 putting an accurate picture of fishing activity in place.
- We acknowledge that this application is for site investigation works, but we believe that these
 works can negatively affect the financial viability of the fishing enterprises that inshore
 fishermen depend on, for their livelihoods.
- We note that there are two foreshore applications by separate companies that overlap to a large extent the important inshore and other fishing areas of the southeast coast.
- While companies that wish to engage in offshore activities such as windfarms have time and resources to prepare applications, stakeholders such as fishers have little time and resources to respond. By the time they find out about such an application under a Public Consultation it is too late to effectively organise a response. They see themselves at best reactionary to something that they feel is going to happen whether they like it or not, with some minor concessions.
- It is our view that there is a collective State responsibility to ensure that the fisheries sector including inshore fisheries is protected, due to the contribution made by the sector to local coastal communities.
- Policy and guidelines for the foreshore license application process for wind farms and other such activities (electrical and telecommunication cables, pipelines etc.) must be reviewed and overhauled, in order to protect existing stakeholder actives such as fisheries, to include for example;
 - The responsibility of the State to either ensure that adequate knowledge of fishing activities is made available to applicants, or that the onus is placed on applicants to obtain it before an application is submitted.
 - O Applicants must in advance of an application make available for stakeholders the likely impact of their activity on for example fisheries. This should in include the implications of the survey techniques employed (in the case of the current windfarm applications), but also the overall likely impacts of the overall project once completed (i.e. the impact of the wind turbines when in place on fisheries).
 - The onus must be placed on applicants to adequately consult with stakeholders before submitting an application.

The NIFF also wish to inform you in more detail of the Inshore Fishing operations which depend on the area in this application and include the following:

- · Crustaceans including lobster, crab and shrimp.
- Shellfish/Bi valve molluscs such as scallop, razors, clams and mussels.











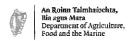
- Whitefish by use of nets are also fished for in this area.
- Pelagic species such as Herring spawn within this area and it is vitally important to the sustainability of the stock. Therefore, there are certain times of the year where it would not be advisable to work in this area. Sprats are another pelagic species that also aggregate in this area.

In conclusion you can see that many species are fished and spawn in the area outlined in this application and livelihoods of inshore fishermen and their coastal communities are dependent on it. The NIFF hope that you will give our submission due consideration and we look forward to better consultation between the applicant and the inshore sector going forward.

Yours sincerely,

Trudy McInyre NIFF Chair









foreshore

SUBMISSION &

From:

Sent:

22 July 2019 12:16

To:

foreshore

Subject:

Windfarm Planning FS006983

Dear sir/madam

I am a local fisherman from Kilmore quay and have been fishing the proposed grounds for the past twenty years during the summer months as were my father and grandfather before me. The erection of a Windfarm in the proposed location would have a detrimental effect on the marine ecosystem not to mention the impact it would have on my family income taken from the proposed area though scallop fishing from April to the end of August each year.

The proposed site is directly upon rich scallop beds that not only myself but SIX other scallop vessels depend on to put food on the table for our families.

I can not express how much I am opposed to the development and the negative effect it would have on the fishing community as a whole.

Yours Sincerely



South East Regional Inshore Fisheries Forum

Marine Planning and Foreshore Section,

Department of Housing,

Planning and Local Government,

Newtown Road,

Wexford,

Co. Wexford.

22nd July 2019

Ref: Planning Application Reference Number: FS006983

Applicant: SSE Renewables Celtic Sea

Description of Development: Geophysical, Geotechnical and Environmental Site Investigation

works

Location: Off Bunmahon Bay, Co. Waterford and Bannow Bay, Co. Wexford.

To whom it may concern,

The South East Regional Inshore Fisheries Forum (SE RIFF) is one of 6 regional Inshore Fisheries consultative forums, at which members are representative of the 'inshore sector' fishermen using boats of less than 12m in overall length.

Established in May 2014 the National Inshore Fisheries Forum has been set up to facilitate the development of a coherent inshore sector "voice" by encouraging fishermen to discuss their fishing issues and generate commonly supported initiatives. The National Inshore Fisheries Forum (NIFF) is supported by a network of Regional Inshore Fisheries Forums (RIFFs around the coast of Ireland. They have nominated delegates to bring forward regional proposals to NIFF for wider industry discussion. The RIFF members include inshore fishermen, environmental interests, marine leisure, marine tourism, processors (seafood added value) and other marine stakeholders.











The Inshore Fisheries Forums are facilitated by the statutory bodies responsible for marine fisheries in Ireland, namely Department of Agriculture, Food and the Marine, Bord Iascaigh Mhara, Sea Fisheries Protection Agency and the Marine Institute. Bord Iascaigh Mhara provides administrative support to the forums.

The South East RIFF covers the inshore coastal area of counties Wicklow, Wexford and Waterford. Further information concerning the South East RIFF and RIFFs in general can be obtained at http://inshoreforums.ie/

Regarding this application we make the following submission.

While recognising growing climate awareness in Ireland, and the look to renewables such as wind as an alternative energy supply, we are concerned that this is going to be at the cost of our industry, without any organised debate or joined up policy recognising the existence/value of the fisheries sector. The SE RIFF at its meeting held on Thursday 17th July discussed the above application, among others (having received enquiries of concern throughout the SE RIFF coastal area) and makes the following observations.

- As a consultative structure for the Inshore Fishing Sector we are deeply disappointed that there was NO consultation with the sector and its representatives, by the applicant, before submitting this application, despite the guidelines published on your website.
- In the main Foreshore application document submitted, in section 1.1 the applicant states that a site selection process was undertaken and lists a set of criteria that were considered. However, while regional resources, renewable power generation capacity and shipping/navigation and other constraints are listed, fisheries are not mentioned as a consideration. This is shocking and speaks volumes as to either the lack of knowledge of, or consideration for the livelihoods of fishermen that for generations have fished the area. Section 1.9 gives a mention to Fishing activity as a consideration for interaction during the survey, however no detail as to the scale of fishing such as inshore fishing is described in the application. This may be partly due to the fact that fishing activities are mostly compiled by using AIS data, but pre-application consultation would have greatly helped putting an accurate picture of activity in place. In section 1.10 SSE states that they have had no consultations to date with other Foreshore stakeholders, and there is no mention of obtaining baseline data on fisheries in the area, except that wider stakeholder engagement will take place.
- Section 2.9 asks about proximity to sensitive locations and specifically asks about fish spawning area. A number of species are listed, however does not mention inshore species such as crustaceans (e.g. lobster and crab) and bi valves such as scallop.
- We acknowledge that this application is for site investigation works, but we believe that these works can often negatively affect the financial viability of the fishing enterprises that inshore fishermen depend on, for their livelihoods. We recommend that the applicants consult with industry detailing the terminology associated with the techniques used, along with any potential harmful impacts to fish species. The applicants should also detail any exclusions zones required during the survey period and how communication with fishermen will take place.











- We note that there are two foreshore applications currently being consulted on by two separate companies that overlap to a large extent for important inshore and other fishing areas of the southeast coast, and wish to state that this is causing confusion within the industry and a heightened fear that fishing is going to be impacted.
- The inshore fishing operations of both Waterford and Wexford boats depended on in this application area include the following;
 - Crustaceans including lobster, crab and shrimp occupy the zone/areas of proposed cable routes.
 - o Shellfish/Bi valve molluscs such as scallop occupy a larger proportion of the proposed windfarm site along with brown crab
 - Whitefish and pelagic fisheries exist through all of the proposed windfarm and cable route areas.

We wish to add the following general points that while relevant to this application pertain also to the impact of the overall foreshore application process in general on inshore fisheries (and other fisheries);

- While companies that wish to engage in offshore activities such as windfarms have time and resources to prepare applications, stakeholders such as fishers have little time and resources to respond. By the time they find out about such an application under a Public Consultation it is too late to effectively organise a response. They see themselves at best reactionary to something that they feel is going to happen whether they like it or not, with at best some minor concessions to be gained.
- It is our view that there is a collective State responsibility to ensure that the fisheries sector including inshore fisheries is protected, due to the contribution made by the sector to local coastal communities. The sector should not have to react to every application on a case by case basis in this manner without formal support of its position. What has happed to the Spatial Plan that is required under EU legislation/directives? Due to the size and scale of this application, proposals such as this cannot be considered adequately without an overall spatial plan taking into account all of the current recognised stakeholder activities such as fishing.
- Policy and guidelines for the foreshore license application process for wind farms and other such activities (electrical and telecommunication cables, pipelines etc.) must be reviewed and overhauled, in order to protect existing stakeholder actives such as fisheries, to include for example;
 - The responsibility of the State to either ensure that adequate knowledge of fishing activities through thoroughly researched baseline data/maps of activity is made available to applicants, or that the onus is placed on applicants to obtain it











<u>before</u> an application is submitted. The current foreshore application form details in a strong sense the ability of applicants to demonstrate their awareness of Natura 2000 and other environmentally designated sites. The activities of existing stakeholders such as fishing should at least have the same required consideration.

- Applicants should also in advance of an application make available for stakeholders the likely impact of their activity on for example fisheries. This should in include the implications of the survey techniques employed (in the case of the current windfarm applications), but also the overall likely impacts of the overall project once completed (i.e. the impact of the wind turbines when in place on fisheries) including;
 - Initial survey work and later during construction/installation, where there is a legitimate fear that such activities can cause a reduction in habitat and fish. The fishing industry in general is unfamiliar with survey techniques used and these need to be detailed/explained.
 - In consultations to date regarding other wind farm developments we have been told by windfarm company representatives that there will be no exclusion zones around turbines to fishing activities. However, fishermen have received informal advice that the relevant State authorities may not consider fishing close to turbines as safe, due to increased flow of currents around them and potential for entanglement of fishing gear. This would result in an effective loss of fishing area.
 - Some windfarm representatives have also stated that they have worked with fishermen in the UK where windfarms have been shown to happily coexist with fishing activities, however we have yet been furnished with any evidence such as studies or reports.
- The onus must therefore be placed on applicants to adequately research fisheries activities and to consult with stakeholders <u>before</u> submitting an application in order to;
 - Validate the extent of fisheries
 - Outline the extent of their intended application and the potential impacts of both the survey methods, construction and long-term impacts.
 - Take onboard the input of the fisheries sector from an early stage

To facilitate the above points the SE RIFF recommends that representatives of your department meet with representatives of the inshore fisheries sector such as through the Inshore Forums, or other representative structures.











In summary We ask that this application be rejected as it is incomplete/premature for the reasons stated. We recommend that the above points are taken onboard and before any proposal is lodged in the future, that at a minimum the inshore fisheries sector are met with by the applicants as stated in the last bullet point above.

Regards,

Trudy McIntyre,

Chair South East RIFF.

trudymac08@gmail.com

087 1225636









Submission 10



Celtic Sea Herring Management Advisory Committee - CSHMAC

Celtic Sea Herring Management Advisory Committee submission re SSE Renewables Celtic Sea

Background

The Celtic Sea Herring Management Advisory Committee (CSHMAC) was set up 25 years ago to provide Management Advice to the Department of Food and the Marine (DAFM) in relation to the Celtic Sea Herring fishery.

The Celtic Sea Herring fishery takes place between September and December each year in the Celtic Sea. The fishery is worth on average an estimated €8 million (first point of sale) to the economy. The fishery has two distinct elements, the "Main" fishery which is prosecuted by vessels over 50 feet in length and takes place between September and November each year and the "Sentinel" which is prosecuted by smaller inshore vessels under 50 feet and takes place between November and December each year. This fishery is an extremely important one from an economic perspective for the vessels involved in it and is the vital to their economic survival.

Application for a Foreshore Licence

The within application by SSE Renewables (Ireland) Limited proposes to carry out a geophysical, geotechnical and benthic sampling programme between the months of April and October within the five year period of the licence if granted.

In addition it is proposed to deploy LiDAR bouy, Waverider buoy(s) and (ADCP) for periods of time ranging from 1 month (ADCP) to 36 months (LiDAR).

The area in which it is proposed to carry out these surveys includes both the fishing areas for the Celtic Sea Herring fishery and also (as acknowledged in the application) is within the spawning grounds of a number of fish species including Celtic Sea Herring.

Contact Information:

Celtic Sea Herring Management Advisory Committee
C/O Marine Applications Limited
The Rubicon Centre, CIT Campus, Bishopstown, Cork
Ph: 021 492 8934 Email: info@veri.fish



Celtic Sea Herring Management Advisory Committee - CSHMAC

CSHMAC Concerns

The proposed application raises a number of concerns for the CSHMAC:

1. Impact on the Celtic Sea Herring Fishery:

From the information set out in the application it is likely access to the fishing grounds would be restricted during key fishing periods. This is not acceptable from the CSHMAC's point of view and should the application be granted it should be done so on the basis there would be no interruption or disturbance of fishing activities.

2. Impact on the Celtic Sea Herring Stock:

Scientific advice has highlighted that recruitment in the Celtic Sea Herring stock has declined in recent years¹ and the stock biomass has decreased as a result.

The latest scientific advice (provided by the International Council for the Exploration of the Seas (ICES)) contains the following recommendation "Activities that have a negative impact on the spawning habitat of herring should not occur, unless the effects of these activities have been assessed and shown not to be detrimental (ICES, 2013, 2015a). There has been an increase in marine anthropogenic activity. Activities that have a negative impact on the spawning habitat of herring, such as dumping of dredge spoil, extraction of marine aggregates (e.g. gravel and sand), and erection of structures in the vicinity of spawning grounds are a cause for concern (see for example Groot, 1979, 1996; ICES, 2003, 2015a). This is because a gravel substratum is an essential habitat for herring spawning."

The concerns in relation to the impact of these types of activities is shared by a number of those involved in the marine sector as evidenced by the recent request by the Pelagic Advisory Council (an EU body) which has requested ICES to set up a specific working group to assess the impact of works such as those proposed in the application on the delicate Herring spawning grounds.²

¹ http://www.ices.dk/sites/pub/Publication%20Reports/Advice/2018/2018/her.27.irls.pdf

² https://www.pelagic-ac.org/media/pdf/1819PAC71%20To%20COM%20ICES%20wg%20Underwater%20Noise.pdf



Celtic Sea Herring Management Advisory Committee - CSHMAC

The CSHMAC is of the view the works proposed in the application fall within those advised against in the ICES advice and therefore should not be allowed within the Celtic Sea Herring spawning grounds.

CSHMAC

22nd July 2019

Contact Information:

Celtic Sea Herring Management Advisory Committee
C/O Marine Applications Limited
The Rubicon Centre, CIT Campus, Bishopstown, Cork
Ph: 021 492 8934 Email: info@veri.fish

Marine Planning and Foreshore Section, Department of Housing, Planning and Local Government, Newtown Road, Wexford, Co. Wexford.

Planning Application Reference Number: FS006983 Applicant: SSE Renewables Celtic Sea Description of Development: Geophysical, Geotechnical and Environmental Site Investigation works Location: Off Bunmahon Bay, Co. Waterford and Bannow Bay, Co. Wexford

To whom it Concerns,

I refer to the above planning application & wish to make the following submission/ objection in relation to the proposed development.

I am making this response as a person directly dependant on a Commercial Inshore Fishing Enterprise, which will be negatively impacted by this proposed development.

- As a member of the Inshore Fishing Sector I'm deeply disappointed that there was NO consultation with the sector and it's representatives, by the applicant, at the pre application stage. This is in spite of the guidelines published on your website.
- Based on my personal experience, the level of Inshore Fishing activity described in the application is grossly under estimated. This may be partly due to the fact that it is mostly compiled by using AIS data, but pre application consultation would have greatly helped putting an accurate picture of activity in place.
- I acknowledge that this application is for site investigation works, but I believe that these works will negatively affect the financial viability of the fishing enterprise I depend on, for my livelihood. The fishing operation I depend on, operates in the following areas, at the following times, for the following species, fishing by means of the following methods, and I fear the proposed works will prevent It from doing the same

Operating in the area bound by the following latitude and longitude coordinates

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South to 51 50 00 North to the Coast of Ireland

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Operating in the area bound by the following latitude and longitude coordinates

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By means of (cross out as appropriate) pots/static nets/demersal trawl/mid water trawl/bottom dredge/hooks and lines/other

Operating in the area bound by the following latitude and longitude coordinates

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By means of (cross out as appropriate) pots/static nets/demersal trawl/mid water

trawl/bottom dredge/hooks and lines/other

Date 22.7.19

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Marine Planning and Foreshore Section,

Department of Housing,

Planning and Local Government,

Newtown Road,

Wexford,

Co. Wexford.

Planning Application Reference Number: FS006983

Applicant: SSE Renewables Celtic Sea

Description of Development: Geophysical, Geotechnical and Environmental Site Investigation works

Location: Off Bunmahon Bay, Co. Waterford and Bannow Bay, Co. Wexford

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Outside of the specific areas in which this enterprise fishes, it is reliant on others areas covered by the application for safe navigational passage to and from the fishing grounds to the following safe harbours KILMORE QUAY
I would also like to raise the following points:

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www.inshore.ie



nifa.secretary@gmail.com

nifo.secretary@gmail.com

Office Light Cahirciveen, Co. Kerry

22/07/19

To whom it may concern,

With reference to planning application reference number FS006983, by SSE Renewables Celtic Sea off Bunmahon Bay, Co. Waterford and Bannow Bay, Co. Wexford. The National Inshore Fishermen's Association (NIFA) and the National Inshore Fishermen's Organisation (NIFO) wish to make the following submission. Our members in the area have raised, what we feel are serious and valid concerns regarding this proposed development. This submission is based on the same, the main points being as follows

We note and commend the fact that DPHLG "places a high priority on public participation during the assessment of foreshore applications" (as published on your website) and that "At pre-application stage, when the developer initially discusses the project with HPLG (Marine Planning and Foreshore Section), the developer is encouraged to engage in pre-application consultations with stakeholders". To the best of our knowledge there was no consultation between the developer and the Inshore Commercial Fishing sector to date. While NIFA and NIFO are the largest dedicated, National Inshore Fishing groups in the country, they are relatively new, however the Inshore Fisheries Forums www.inshoreforums.ie, the representative structures for the Inshore Fishing Sector (with whom we have a MOU) were established in 2014, by the Tánaiste Simon Coveney (then Minister of Agriculture Fisheries and Food) and are now well established and recognized. The National Inshore Fisheries Forum (NIFF) is represented on the Marine Spatial Planning Advisory Group where its representatives meet with Minister Damien English along with a wide range of other stakeholders. We can only conclude that this lack of consultation was deliberate and not inadvertent. This we feel, was very unfortunate.

It is our considered opinion that the level of Inshore Fishing activity detailed in the application is grossly underestimated. The application uses AIS data and observer trips to quantify commercial fishing activity, but notes that Inshore Vessels (Vessels under 15 meters in length) are not required to use AIS. The application acknowledges Inshore activity may be under estimated, but continues to claim that the majority of vessels observed in the area were larger vessels of 24-25m in length. Over 80% of fishing vessels on the Irish Fishing register are Inshore Vessels, of less than 12m in length. Given the proximity of this site to the coast, logic dictates that the majority of the vessels operating in this area are coastal, or Inshore vessels. The analysis of fish species caught in the area (p 34-37 of the supporting document) details only quota stock species and not the non-quota shellfish species that are of most importance to the Inshore fleet. The importance of these non-quota species is something that is recognized in the FLAG SE Local Development Strategy 2016

http://www.bim.ie/media/bim/content/funding-forms/flags/6084-BIM-FLAGs-South-East-strategy.pdf as is a description of the seafood sector in the area. We believe consultation at pre application stage would have allowed for a more accurate representation of Commercial Inshore Fishing activity to be included in this application.

Our members carry out a wide range of fishing activity for various species throughout the year within the specific area. This would include inter alia, Demersal and Pelagic trawling for whitefish prawns, and pelagic fish. Static netting for whitefish and Shellfish and potting for a wide range of shellfish species. A number of our members have traditionally fished this area for years. Many with the previous generations also having fished in this specific area. This area accounts for a significant part of the economic return of these members operations. The site's proximity to shoreline allows them to operate in a degree of safety. That is something they could not find elsewhere within a realistic range of the landing sites they have traditionally used. They consider displacement of their operations out of this area, not to be economically viable and would be detrimental to their businesses. They operate with small vessels of around 6/14 meters overall length, which limits their operational range considerably. In many cases landing sites they traditionally use are not suitable for larger vessels. Scaling up the size of their vessels is not a realistic option for them, if they are to continue to operate from these sites, in the fisheries they are currently, and have been traditionally, involved in. Displacement further than to the area adjacent to the specific area, is not a realistic option for them. While we appreciate this application is for site investigation works we are of the opinion that these works will disrupt their fishing operations and this disruption will have a negative economic impact on them.

A number of other members that have not traditionally operated extensively in the specific area, are concerned regarding potential displacement of those that have, into the adjoining or neighbouring areas. These members have traditionally operated in these adjoining or neighbouring areas. This could potentially lead to conflict between static gear operators and static gear / mobile gear operators in the wider area. Aside from potential gear conflict, potential increased competition for both biological resources and space will have a negative impact on the economic operations of these members and could be detrimental to them.

Finally we would thank Ministers Eoghan Murphy and Damien English for the opportunity to make this submission and we trust that it will be given the consideration it deserves.

Yours Faithfully,

Alex Crowley,

General Secretary, NIFA/NIFO

IASC SLIOGAGH DUNGHARBAIN TEO.

Hillcrest, Gortnadiha, Ring, Dungarvan, Co. Waterford, Ireland.

Telephone: 058-46120

Email: dsf-oysters@hotmail.com (General)

Email: accountsdsf@hartyoysters.com (Accounts)

Reference: FS 006983

To whom it Concerns,

We are writing to you to object to SSE Renewables (Ireland) Ltd, Red Oak South, South County Business Park, Leopardstown, Dublin 18, D18 W688 re: FS 006983

Here in Dungarvan Bay it is a SPA and SAC and also protected by the EU Shellfish and Water Directives.

Our main objections and concerns would be as follows:

- No pollution of any sort can take place as this would cause significant loses to the whole bay of over 600 HA of oyster producers commercially producing here for over 40 years.
- We also have a state of the art nursery production on site for our oyster seed and any water pollution in the bay would cause significant loses to our production going forward for a number of years.
- Analyse of sediments will have to be taken to ensure that sediment disturbance will not release anything that would act as a predator to the oyster industry in the bay.
- All Drilling and all other works would need to adhere to low water tide times so as no sonar damage would occur to the oysters.
- 5. Sediment would have to be released out on an ebbing tide
- 6. There can be under no circumstances any release spillage of hazardous materials that would cause detrimental effect to the oyster industry.
- All aspects would have to be carried out under a severe safety assessment done first and all producers in the bay would have to be made aware of all activities and results of such findings.
- 8. Any losses in the oyster industry caused by the construction of site or ongoing activities of that site is unacceptable.
- 9. Prohibit all access to all areas and surrounding location of all Oyster beds in the bay,

10. This area is also renowned for the Brent Geese feeding here for the winter period on the grassland area, if these structures were to cause interference to these it would be a loss of great environmental value to the bird population of the area.

The oyster bay here in Dungarvan Bay is one of the biggest areas in Ireland and the oysters that are being produced in the bay are classified as the 'Speciele' oyster.

Any construction works or otherwise that would interfere with this industry be it by means of testing, cable laying, and all associated works cannot be allowed or tolerated.

All of the above points to be seriously considered as the livelihood of the bay and the surrounding areas is at risk.

Kind Regards

Joe Harty Director

foreshore

SUBMISSION 15

From:	
Sent:	23 July 2019 23:13
To:	foreshore
Subject:	wind farm
area on my boats present it would have activity in the area be	ection of planning number fs0006983 on the the grounds I have fished scallops in this from 2001 until 2007 and then on muntil a major impact on may scallop fishing, your ais readings does not show fishing scause many fisher men leave it off and only trough readings could be got off wms from at 23.95 registered scallop boat that has a crew of up to six men which have famleys
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Marine Planning and Foreshore Section,

Department of Housing,

Planning and Local Government,

Newtown Road,

Wexford,

Co. Wexford.

RECEIVED

2 2 JUL 2019

MARINE AND FORESHORE WEXFORD

Planning Application Reference Number: FS006983

Applicant: SSE Renewables Celtic Sea

Description of Development: Geophysical, Geotechnical and Environmental Site Investigation

works

Location: Off Bunmahon Bay, Co. Waterford and Bannow Bay, Co. Wexford

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Signer	
~B. I.C.	
Date 8/7/19	

RECEIVED

2 2 JUL 2010

MARINE AND FORESHORE
WEXEODD

Marine Planning and Foreshore Section,

Department of Housing,

Planning and Local Government,

Newtown Road,

Wexford,

Co. Wexford.

Planning Application Reference Number: FS006983

Applicant: SSE Renewables Celtic Sea

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Signed		***		

4 S^M

CAN SURVEY'S LIKE THIS ONE EVER IDENTIFY THE HARM THAT PERMANENT DEVELOPMENT WILL CAUSE TO KNDANGERED SPECIES SUCH AS SALMON EELS, LAMARAY, SHAD, THAT PASS THROUGH THESE SURVEY AREAS AT LEAST A COUPLE OF TIMES IN THEIR LIFE CYCLE COR DO THEY STAY LONGER IN AN AREA ORSEA SOLE - BLACK - DOVER SOLE DO NOT GET A HENTION, BUT YET THEY GO ABOVE WATERFORD City EVERY YEAR. DEVELOPMENT AS A RESULT OF SURVEY'S WITH HELP FROM MARINE SPATIAL PLANNING, SUCH AS STRUCTURES ON TOP OF THE WATE FLOATING TURBINES - SALMON PARMS, STRUCTURES UNDER THE WATER CAUSEING ALTERATIONS TO THE CHRENTS, AND THE SEABLE IF THE HABITATS DIRECTIVE AND THE HIGH COURTS INTERPRETATION OF THE DIRECTIVE IS APPLIED CAN DEVELOPMENT AT ANY SCALE PROCEED, AS A RESULT OF THIS SURVEY PHEASE FIND TWO PAGES FROM THE APPROPRIATE ASSESSMENT FOR WATERPORDS NORTH QUAYS. 2.6 WHEN YOU ADD THE ACUMPLATIVE AREA OF PRESENT DEVELOP. -MENT, AND PROPOSED DEVELOPMENT THAT WOULD FOLLOW THIS SURVEY AND FURTHER FUTURE PROPOSALS - SALMON FARMS & (MARINA SPATIAL PLANNING PRAMEWORK BASELINE REPORT) THE ACUMALATIVE EXPECT ON THE SEA RNUIRONMENT AND HABITAT AND ALL MARINE SPECIES WILL BE DEVASTATING IRELAND IS NOW AT A CROSS ROADS, TO ABUSE AND DESTROY THE SEA, TO MAINTAIN OUR LIKESTYLE ON LAND (OR NOT) 2.9 WE KNOW THAT THE SPECIES MENTIONED IS ONLY A SMALL FRACTION OF SPECIES THAT WOULD BE EXPECTED DUNGING THE SURVEY, AND BY DEVELOPHENT THAT WOULD POLLOW ON FROM THE SURVEY

TABLE 3.3
THE AREA IS IMPORTANT FOR THESE FISH SPECIES EVERY
HONTH OF THE YEAR, THE SURVEY NEVER HIND DEVELOPMENT
WOULD CAUSE DISTURBANCE
THE CHARTS THAT SHOW HISH SPECIES AROUND THE ENTIRE PAREA
LEAVE OUT BLACK SOLE - DOVER SOLE THRY TRAVEL INTO AND
OUT OR THE SACEVERY YEAR
CABLE COMMING ASHORE IN BE THE KEERAGH ISCANOS SPA.
CABLES COMMING ASHORE ON SANDIL BEACHES DOES NOT WORK
DUNCANNON IS AN EXAMPLE OF THAT, OTHER EXAMPLES IN
ENGLAND.
IRELANDS RECORD AND UNDERSTANDING OF WATER AND
THE SPECIAL THAT LIVE IN THE RIVERS, ESTURATES, AND FORESHORD
MUSSELS, COCKELS, SALMON, BELS, DISASTERIOUS, POLUTION NOW
DANGERIOUS IN THESE WATERS WHAT HOPE FOR SPECIES OUT AT
SIZA WHEN WE START MEDELING AT SUCH A SCALE
THIS SURVEY APPLICATION, AND ANY PUTURE DEVELOPMENT
APPLICATION SHOULD BE REFUSED UNTIL IRELAND FIRST RESPECTS
UNDERSTANDS AND LOOKS AFTER THE WATER AND SPECIUS THAT LIVE
IN IT ON LAND
YOUR KAITHFULLY

The Irish High Court has also considered the application of the Habitats Directive and has provided clarity on how competent authorities should undertake valid and lawful AA³, directing that the AA:

"Must identify, in the light of the best scientific knowledge in the field, all aspects of the development project which can, by itself or in combination with other plans or projects, affect the European site in the light of its conservation objectives. This clearly requires both examination and analysis."

"Must contain complete, precise and definitive findings and conclusions and may not have lacunae or gaps. The requirement for precise and definitive findings and conclusions appears to require examination, analysis, evaluation and decisions. Further, the reference to findings and conclusions in a scientific context requires both findings following analysis and conclusions following an evaluation of each in the light of the best scientific knowledge in the field."

"May only include a determination that the proposed development will not adversely affect the integrity of any relevant European site where, upon the basis of complete, precise and definitive findings and conclusions made, the consenting authority decides that no reasonable scientific doubt remains as to the absence of the identified potential effects."

1.3 Stages of Appropriate Assessment

The Draft Planning Scheme is comprised of a Vision, defined by a set of Principal Goals, which are in turn supported by a suite of Specific Objectives that will govern the future sustainable development of the North Quays SDZ. The process of examining, analysing and assessing the implications of the Draft Planning Scheme for Natura 2000 sites is a structured exercise with a series of steps. The overall purpose of the process is to ensure that the Draft Planning Scheme, when implemented, does not result in adverse effects on the "integrity" of Natura 2000 sites.

Stage 1 of AA (Screening) involves assessing the Draft Planning Scheme in principle and determining the likelihood of significant effects on Natura 2000 sites as a result of its implementation, either individually or in combination with other plans or projects. If it is concluded on the basis of objective information that significant effects are likely or cannot be ruled out, full AA (Stage 2) is required.

Stage 2 of AA involves a scientific analysis of the potential impacts of the Draft Planning Scheme on the habitats and/or species for which the Natura 2000 sites "screened in" at Stage 1 are selected. Where significant or potentially significant impacts arising from the Draft Planning Scheme are identified, appropriate mitigation is prescribed to eliminate these impacts and ensure that there will be no adverse effect on the Natura 2000 sites concerned. This mitigation is then integrated into the Draft Planning Scheme so that its implementation will not result in any adverse effects on Natura 2000 sites.

³ Kelly v. An Bord Pleanála [2014] IEHC 422.

for conservation and requiring protection. This protection is afforded in part through the designation of sites that represent significant examples (in a European context) of habitats and populations of species listed in the Nature Directives. Sites selected for bird species are Special Protection Areas (SPAs) and sites selected for other protected species (Annex II of the Habitats Directive) and/or habitats (Annex I of the Habitats Directive) are Special Areas of Conservation (SACs). Together, SPAs and SACs comprise the Natura 2000 network of protected sites.

Bird species listed on Annex I of the Birds Directive (Special Conservation Interests) and habitats and/or species listed on Annexes I and II, respectively, of the Habitats Directive (Qualifying Interests) have full European protection in Natura 2000 sites. Species listed on Annex IV of the Habitats Directive are protected wherever they occur, whether inside or outside the Natura 2000 network. Annex I habitats that occur outside of SACs are still considered to be of national and international importance and, under Regulation 27(4)(b) of the Habitats Regulations, public authorities have a duty to avoid the pollution or deterioration of these habitats.

Appropriate Assessment

Article 6(3) and (4) of the Habitats Directive sets out the legal decision-making tests for plans or projects likely to affect Natura 2000 sites. Article 6(3) establishes the requirement to screen all plans and projects and, where significant effects cannot be excluded, to carry out a further assessment. Article 6(3) states that:

"Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the implications for the site and only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."

Article 6(4) deals with alternative solutions and allows proposed plans and projects having adverse effects on Natura 2000 sites to be approved only in very limited circumstances, i.e. where there are imperative reasons of overriding public interest, no alternatives remain and compensatory measures can be taken.

The European Court of Justice (ECJ) has made a relevant ruling in relation to when AA is required and its purpose¹:

"Any plan or project not directly connected with or necessary to the management of the site is to be subject to an appropriate assessment of its implications for the site in view of the site's conservation objectives if it cannot be excluded, on the basis of objective information, that it will have a significant effect on that site, either individually or in combination with other plans or projects [and the plan or project may only be authorised] where no reasonable scientific doubt remains as to the absence of such effects."

The ECJ has also made a relevant ruling on what should be contained within an AA2.

"[The AA] cannot have lacunae and must contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the works proposed on the protected site concerned."

¹ Landelijke Vereniging tot Behoud van de Waddenzee and Nederlandse Vereniging tot Bescherming van Vogels v. Staatssecretaris van Landbouw, Natuurbeheer en Visserij (Waddenzee) [2004] C-127/02 ECR I-7405.

Sweetman v. An Bord Pleanáia [2013] Case C-258/11.

Marine Planning and Foreshore Section,

Department of Housing,

Planning and Local Government,

Newtown Road,

Wexford,

Co. Wexford.

RECEIVED

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MARINE AND FORESHORE
WEXFORD

Planning Application Reference Number: FS006983

Applicant: SSE Renewables Celtic Sea

Description of Development: Geophysical, Geotechnical and Environmental Site Investigation

works

Location: Off Bunmahon Bay, Co. Waterford and Bannow Bay, Co. Wexford

To whom it Concerns,

I refer to the above planning application & wish to make the following submission/ objection in relation to the proposed development.

I am making this response as a person directly dependent on a Commercial Inshore Fishing Enterprise, which will be negatively impacted by this proposed development.

- As a member of the Inshore Fishing Sector I'm deeply disappointed that there was NO
 consultation with the sector and it's representatives, by the applicant, at the pre
 application stage. This is in spite of the guidelines published on your website.
- Based on my personal experience, the level of inshore Fishing activity described in the
 application is grossly under estimated. This may be partly due to the fact that it is
 mostly compiled by using AIS data, but pre application consultation would have
 greatly helped putting an accurate picture of activity in place.
- I acknowledge that this application is for site investigation works, but I believe that
 these works will negatively affect the financial viability of the fishing enterprise I
 depend on, for my livelihood. The fishing operation I depend on, operates in the
 following areas, at the following times, for the following species, fishing by means of
 the following methods, and I fear the proposed works will prevent It from doing the
 same

ı	From The Shore to the \$2
	6.40 East to 7° west
	The fishing operation I'm dependant on, traditionally fishes for (cross out as appropriate) crustacean shellfish/whitefish/during the months of _January To December
	By means of (cross out as appropriate) pots/static nets /hooks and lines.
	Operating in the area bound by the following latitude and longitude coordinates
	The fishing operation I'm dependant on, traditionally fishes for (cross out as appropriate) crustacean shellfish/whitefish during the months of January to December February To Wolferham
	By means of (cross out as appropriate) poss/static nets/hooks and lines. Operating in the area bound by the following latitude and longitude coordinates
	The fishing operation I'm dependant on, traditionally fishes for (cross out as appropriate) crustacean shellflsh/whitefish during the months of January to December
	Outside of the specific areas in which this enterprise fishes, it is reliant on others areas covered by the application for safe navigational passage to and from the fishing grounds to the following safe harbours
	I would also like to raise the following points: 1 am Fishing on there ground For over Thirty yours To make a Tull Time livery! I am amound men with 3 Thirts

NO TOTAL CONTROL OF THE PARTY O	
Name:	
Boat name	& Reg No.
Other Fishing Vessels owne	ad
Carrier Courses According Carrier	
I am a Skinner tick o	or Crow that Chara Managar that Other that
	or Crewtick Shore Managertick Othertick
l am a Skippertick o	or Crewtick Shore Managertick Othertick
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