

Sustainable Energy Authority of Ireland,
3 Park Place,
Hatch Street Upper,
Dublin 2

March 2021

RE : FS007062 Site Investigation Licence Application by the Sustainable Energy Authority of Ireland (SEAI)

SEAI would like to thank the prescribed bodies for their review of the above foreshore licence application and welcome the observations made.

Marine Institute

Thank you for providing the response from the Marine Institute, which states that given consideration of the nature, scale and location of the proposed site investigations the Marine Institute are satisfied that the site investigations as proposed will not have a significant impact on the marine environment in the survey area and will not have a significant impact on other legitimate uses / users of the area and therefore has no objections to a licence being granted.

SEAI note the recommendations made by the Marine Institute for inclusion in any awarded licence and will ensure that the licence will be utilised for the purposes outlined in the application and no other purposes. SEAI will also ensure that the works will be carried out and completed in accordance with the plans and particulars covered in the application.

Marine Survey

Thank you for providing the response from the Marine Survey Office to the above licence application, which states that in the absence of any adverse impact to the safety of navigation, the Marine Survey raises no objection to the proposed foreshore application.

SEAI note the request for both a Marine Notice as well as a notice in a locally read newspaper prior to commencement of works and will comply with the request. The notice will include commencement and completion dates, specific locations, type of activity and any other relevant information.

In addition to this, prior consultation with the local fishing community will also take place in order to mitigate any risk of collision or damage to equipment. SEAI have already been in communication with local fishermen groups regarding the proposed site investigation operations.

NPWS

Thank you for providing the response from the National Parks and Wildlife Service (NPWS).

NPWS state that in the screening assessment included in this application a likely impact is inferred from acoustic survey techniques albeit localised and temporary. It also includes some measures which should be considered mitigation in respect of the qualifying interest bottlenose dolphin (ensuring they were not in the vicinity during start up). This application would consequently require a full appropriate assessment. The currently circulated document is deficient in fully acknowledging a potential interaction with qualifying interests of the site and does not provide adequate detail in relation to the mitigated measures that would be applied around acoustic survey techniques.

It is recommended that the applicants be invited to reconsider the findings of the appropriate assessment screening document and develop appropriate mitigation with respect to the conservation objectives of the site in a full appropriate assessment. The applicant should in particular consider the noted mitigating measures with respect to acoustic sources in relation to bottlenose dolphins and the guidance document generated by the Department of Culture, Heritage and the Gaeltacht around acoustic surveys in the marine environment.

SEAI note the recommendations made by NPWS in their correspondence dated 19 June 2020. Based on these observations SEAI have completed a Natura Impact Statement (NIS) which was submitted to the Foreshore unit of the Department of Housing, Local Government and Heritage (DHLGH) in July 2020, as additional information to inform the above licence application (FS007062). The NIS has outlined how SEAI will consider any noise implications and implementation of best practise during the Site Investigation activity, including the provision of Marine Mammal Observers (MMO) as a mitigation measure, rather than mitigation by design. As outlined in the NIS, SEAI will follow the guidance and mitigation measures outlined by DAHG (2014) to address key potential sources of anthropogenic sound that may impact negatively on marine mammals in Irish waters.

Water and Marine Advisory Unit

Thank you for providing the response from the Water and Marine Advisory Unit (WMAU) in respect of the above licence application.

SEAI note the observations contained in the response and will notify the WMAU of the date of commencement of the site investigation / survey operations at least 2 weeks prior to commencement.

SEAI will also inform the Department of the work completed to date and the works planned for the coming year. *It is worth noting that the planned works are of short duration (less than ten days).*

All works will be completed in accordance with the drawings and documents submitted in support of the application.

SEAI will ensure that all necessary precautions are put in place to protect the public in accordance with relevant Health and Safety Legislation, that existing public access arrangements to the general foreshore area are not impeded by any vessels, plant or materials used in conjunction with the proposed surveys, and where

relevant this access should be made safe and guaranteed by the provision of appropriate signage / notices / barriers etc to the satisfaction of the Department of Housing, Planning and Local Government. SEAI will also ensure that procedures will be adopted to ensure the surveys are not injurious to fishing, navigation, adjacent lands or the public interest.

On completion of the surveys SEAI will ensure that all equipment and materials are removed, and the foreshore is reinstated to its original condition, to the satisfaction of the Department of Housing, Planning and Local Government.

Inland Fisheries

Thank you for providing the observations from Inland Fisheries Ireland to the above licence application.

As a background to the response SEAI would like to note that :

1. The Site Investigation (SI) license application is for a very limited duration survey (< 10 days) in the Atlantic Marine Energy Test Site (AMETS) which already has a foreshore lease in place.
2. The SI license application has been subject to an NIS which has outlined how we will consider any noise implications and implementation of best practise during the SI activity.
3. In preparation for the foreshore lease for the AMETS, an EIS and AA were undertaken which considered impacts of activities at the test site on fish species.
4. The lease for the AMETS includes a condition to undertake work with IFI on angling species which states that *"Prior to cable protection installation develop alongside Inland Fisheries a programme of surveys to investigate the impact of the works on deep water angling catches"* and SEAI has been in contact with IFI to consider how this work might proceed.
5. Regarding impacts on commercial fisheries, SEAI are liaising with Bord Iascaigh Mhara, Marine Institute and fishing representatives but will reach out to SFPA as proposed.

SEAI's responses are outlined in italics below.

Mitigation measures in regard to the timing of works and also in regard to levels and duration of noise generation and potential for adverse impact on fish species should be agreed with Foreshore Division DHPCLG and form any part of a foreshore licence

- *SEAI will adhere to and carry out all instructions and special conditions outlined by the Foreshore Division DHPCLG (now DHLGH) in respect of the FS007062 licence application.*

IFI would like to point out that the mitigation measures and guidance of NPWS in regard to marine mammals are not transferable to fish species. The fish remain invisible to any shore or boat.

- *This is addressed in the SEAI's response to the environmental consultant's request for further information in February 2021 (document ref: MGE0078LT0002 AMETS SI FS007062).*

The short sampling window proposed in this application will mitigate the effects of the work on the local fish population. The comments of IFI in this regard relate to fish species of conservation significance and of leisure angling significance all of which constitute part of IFI's brief.

Further mitigations for fish should cover :

- Use of soft start and ramp up procedures for any sound-generating surveys undertaken both on a day to day basis and on re-start after any stoppages within any day
 - Duration of noise generating surveys to be reduced to the minimum necessary to collect results of sufficient quality
- *Following receipt of the prescribed body responses in May 2020, SEAI completed a Natura Impact Statement (NIS) which was submitted to the DHLGH in July 2020 for further consideration as part of the FS007062 application. The NIS contains the above mitigation measures in line with NPWS guidelines.*

The IFI comments above do not cover commercial marine fish and the advice of SFPA should be sought in regard to impacts on the eggs/larvae and adult life stages of commercially important fish species in the area of the proposed works.

- *SEAI note the above observation and will engage with the SFPA in advance of site investigation activities commencing.*

The proposed ecological surveys should include a study of the fish present in the target areas and the migratory species that pass through the area. There is very little information on the migration track of diadromous species such as salmon, sea trout and eels migrating along our coastline however there is potentially diadromous species passing this headland and should be taken into account. This study would benefit the foreshore licence application for deployment of the turbine and connecting cable in a few years' time. A note on the use of the area as a recreational fishing spot should also be incorporated into a study to determine any impact the deployment of the turbine will have on this sector.

- *SEAI note the above observation and will consider and include it as part of the Environmental Impact Assessment Report (EIAR) which will accompany a future licence application to cover deployment of a floating wind turbine at the AMETS site. The current application FS007062 is solely for the purpose of acquiring geophysical, geotechnical and ecological data for site assessment, which is required prior to deployment of the turbine. Deployment of the turbine will be subject to further and a separate foreshore licence application.*

The local Belmullet angling club should be notified before works commence as they hold competitions in the area during the summer months.

- *SEAI note the above observation and will notify the local Belmullet angling club prior to survey operations.*