Submission HLG 00011-23: Screening for Appropriate Assessment Determination on Foreshore Licence Application FS007138 ESB Celtic Offshore Wind

TO:	Minister	AUTHOR:	[redacted] (Housing)
STATUS:	Completed	OWNER:	[redacted] (Housing)
PURPOSE:	For Decision and Signature	REVIEWERS:	[redacted] (Housing)
			[redacted] (Housing)
			[redacted] (Housing)
			Nina Murray (Housing)
DIVISION:	Foreshore		
DECISION BY:			

Final comment

Minister received submission and signed determination - 25 January 2023

Action required

Ministerial determination on the Screening for Appropriate Assessment and signing of the Screening for Appropriate Assessment Determination Statement, if approved.

Executive summary

Executive Summary

ESB Wind Development Ltd is seeking a foreshore licence to conduct site investigations to inform the engineering and design of an offshore wind farm off the Cork and Waterford coasts.

As part of the assessment of this application the Minister is required to make a Screening for Appropriate Assessment determination in accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and Regulation 42(1) of the European Communities (Birds and Natural Habitats Regulations 2011 as amended (The Regulations).

Having considered all relevant material, a recommendation has been made that the Minister accepts and adopts the Screening for AA report and reaches the following Screening for AA determination:

In accordance with Regulation 42(6) of the European Communities (Birds and Natural Habitats) Regulations 2011 SI 477 as amended, the Department of Housing, Local Government and Heritage has made a determination following screening that an **Appropriate Assessment is required** as the project, individually or in combination with other plans or projects, is too likely to have a significant effect on any European site. The risk of likely significant effects on European sites cannot be excluded on the basis of objective evidence. This determination is based on the location, scale, extent and duration of the proposed development, including temporary works, and has not taken account of measures intended to avoid or reduce significant effects on European sites.

Detailed information

Overview

This application for a foreshore licence is made by ESB Wind Development Limited, a wholly owned subsidiary of ESB. ESB plans to develop offshore wind farms around the coast of Ireland in support of national and European targets for renewable electricity generation and de-carbonisation of our society.

The 'Celtic Offshore Wind' project is comprised of two projects, namely Celtic One Offshore Wind, a fixed foundation project, and Celtic Two Offshore Wind, a floating foundation project. Celtic Offshore Wind is located to the south of County Cork and to the southwest of County Waterford, with Celtic One Offshore Wind at approximately 7.5km from shore.

The entirety of the Celtic One Offshore Wind area of search is located within the 12 nautical mile (nm) limit. The export cable corridor area of search is the only aspect of Celtic Two Offshore Wind located within the 12nm limit with the turbine array area of search located beyond. For the purpose of this Foreshore Licence application, the Application area includes Celtic One Offshore Wind and the export cable corridor for Celtic Two Offshore Wind.

This Foreshore licence application relates to proposed Site Investigation (SI) works only. These works are temporary and short term in nature.

The ultimate project, the wind farms, will be the subject of a full consent application in due course and is outside the scope of this application. This initial stage in the overall development process is focused on the undertaking of SI works only in order to inform ongoing feasibility assessments for the developments, the overall design of the wind farms and to inform the completion of an Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) to accompany any future project consent application. The impacts of the construction and operational stages of any proposed wind farm will be addressed in an EIAR and NIS that will accompany any future consent application.

It is noted that the project study area for Celtic Two Offshore Wind extends beyond the 12nm foreshore limit. If and when additional permissions for investigation works for the area beyond the 12nm limit are required and a process is in place to facilitate applications, those will be sought.

Environmental Assessment

As part of the assessment of this foreshore licence application, the Department's Marine Advisor (Environment) undertook a Screening for Appropriate Assessment (stage 1 screening) and if required, an Appropriate Assessment (stage 2), of the likelihood of significant impact on European sites from the application for a Foreshore Site Investigation Licence.

Application documents submitted by ESB Wind Development Limited were examined by Department's Marine Advisor and informed the Screening for Appropriate Assessment. These are:

- Application Form **(Tab 04)**
- Foreshore Licence Map **(Tab 05)**
- Schedule of Activities Prepared by Applicant **(Tab 06)**
- NMPF Statement (**Tab 07)**
- SISAA **(Tab 08)**
- Natura Impact Statement (**Tab 09**)

The Department's Foreshore Notice website, currently containing the Application Form and the Map is at

https://www.gov.ie/en/foreshore-notice/b14d6-esb-celtic-offshore-wind-site-investigations-off-waterford-and-cork

Screening for Appropriate Assessment

The Screening for Appropriate Assessment Report (**Tab 03**) was completed by the Department's Marine Advisor (Environment) on the 30th November 2022. It concluded that likely significant effects as a result of this project, alone or in-combination with other plans and projects, on the conservation objectives of European sites cannot be excluded and therefore an Appropriate Assessment is required.

The following recommendation has been made that the Minister adopts the Screening for Appropriate Assessment Report and reaches the following Screening For Appropriate Assessment Determination.

In accordance with Article 6(3) of the EU Habitats Directive (Directive92/43/EEC) and Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended ('The Regulations'), the Department of Housing, Local Government and Heritage has undertaken Screening for Appropriate Assessment (AA) to assess, in view of best scientific knowledge and the conservation objectives of relevant European sites, if the Site Investigation surveys off the coast of Counties Cork and Waterford, either individually or in combination with other plans or projects, would be likely to have a significant effects on any European site.

In accordance with Regulation 42(6) of the European Communities (Birds and Natural Habitats) Regulations 2011 SI 477 as amended, the Department of Housing, Local Government and Heritage has made a determination following screening that an **Appropriate Assessment is required** as the project, either individually or in combination with other plans or projects, is likely to have a significant effect the integrity of European sites, in view of the said sites' conservation objectives. The risk of likely

significant effects on European sites cannot be excluded on the basis of objective evidence. This determination is based on the location, scale, extent and duration of the proposed site investigations, and has not taken account of measures intended to avoid or reduce significant effects on European sites.

A copy of all the material which informed the Screening for Appropriate Assessment can be found in the tabs listed above

Tab 01 contains the **Screening for Appropriate Assessment Determination** statement, prepared by the Department's Marine Advisor (Environment), for **Ministerial Determination and signing**.

Tab 02 contains the **Marine Advisor Environment Screening Stage Report**, prepared by the Department's Marine Advisor (Environment).

Tab 03 contains the **Screening for Appropriate Assessment Report**, prepared by the Department Marine Advisor (Environment)

Submitted for Decision and Signature.

Related submissions

There are no related submissions.

User details

INVOLVED: [redacted]

Nina Murray (Housing)
eSub Minister Office
eSub Minister

READ RECEIPT: [redacted]

Nina Murray (Housing)
Cathal O'Miochain (Housing)
Niamh Redmond (Housing)