Investigative Foreshore Licence Application (Offshore Renewable Energy)							
Please indicate project category as appropriate:							
Wave:							
Tidal:							
Wind:	x						
Other:	Please specify:						

DATA PROTECTION

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Applicant Name and Address:

Full Name of Applicant (not Agent):				
Offshore Wind Project Director (Ireland), ESB				
Company/Organisation:				
ESB Wind Development Limited, a wholly owned subsidiary of ESB.				
Address:				
ESB Wind Development Limited				
Gateway				
East Wall Road				
Dublin 3				
Eircode:				
D03 A995				
Applicant Contact Details:				
Phone No:				
+353 (0)				
E-mail address:				

Nominated Contact (Where Different from Above):

Name:						
Address:						
ESB Engineering & Major Projects						
One Dublin Airport Central						
Dublin Airport						
Cloghran Co. Dublin						
K67 XF72						
Phone No:						
+353 (0)						
E-mail address:						
Applicant's Legal Advisor:						
Name:						
Address:						
Riverside One, Sir John Rogerson's Quay, Dublin 2, D02 X576						
Phone No:						
+353 (0)						
E-mail address:						

Part 1: Proposal Details (See also Accompanying Report & Schedule of Work)

1.1 Provide background information on the project including reason and objectives of the site investigations, the site selection process and any proposals for future works at the site.

Background

This application for a foreshore licence is made by ESB Wind Development Limited, a wholly owned subsidiary of ESB. ESB Wind Development Limited is the entity charged with the task of completing surveys for the ESB-Equinor development partnership. ESB - Equinor are working in partnership 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.

ESB - Equinor has identified a location for a potential fixed foundation offshore wind farm at a site known as 'Sea Stacks Offshore Wind' located to the east of County Dublin, at a distance of approximately 12 km from shore.

The ultimate project, to develop the wind farm, will be the subject of a full consent application in due course. This initial stage in the overall development process is focussed on the undertaking of site investigation (SI) works only in order to inform ongoing feasibility assessments for the development, the overall design of the wind farm and to inform the completion of an Environmental Impact Assessment Report (EIAR) and Appropriate Assessment (AA) to accompany project consent application.

It is noted that the ultimate project area extends beyond the 12nm foreshore limit. If and when additional permissions for investigation works for the area beyond the 12nm limit are required, those will be sought.

Site Selection Process

Over the course of 2019-2020 ESB - Equinor undertook an extensive site selection process where they assessed the entire coast of the Republic of Ireland (RoI), in order to identify potentially suitable sites for the development of offshore wind farms. That process involved preliminary assessments of both environmental and technical aspects of a development with consideration for the various stakeholders and marine users who could be potentially impacted by both SI works and the ultimate development (the wind farm itself).

As an outcome to that process ESB - Equinor has identified a number of preferred projects which they will now seek to take to the next stage in the process; the undertaking of more detailed investigations, surveying and consultation in order assist in making a decision on whether a feasible development opportunity exists.

One such project is Sea Stacks Offshore Wind, the subject of this Foreshore Licence application. Sea Stacks Offshore Wind is not dependent on any other suitable site, functionally, legally or otherwise.

SI Objectives

A detailed description of the SI objectives is provided in the accompanying **Schedule of Works** document. However, at a high level the objectives of the works proposed under this Foreshore Licence application are as follows:

- To gather further information on seabed and sub-seabed information.
- To gather sufficient geotechnical data to allow the characterisation of the sub-seabed strata.
- To collect accurate wind and metocean (wave, current, tide and water levels) information.
- To provide the project team with baseline information on the environmental conditions at the site, including marine ecology, bird, mammals and benthos.
- To provide the project team with information on the archaeological conditions at the site.

In order to meet the above objectives various Site Investigation (SI) works and monitoring device deployments are required, for which ESB - Equinor require a Foreshore Licence.

Future Works

Subject to ongoing assessments for this site, some of which will be informed by the SI outcomes, and assuming the site is considered feasible for development and progresses to attain an appropriate suitable consent, potential future works would relate to the ultimate development of the wind farm and associated ancillary features.

At a high level this would include the construction of fixed offshore wind turbines and offshore substation platform(s), the laying of offshore cables and the construction of associated onshore works including grid connection (anticipated to be underground cables) and substation works.

This application constitutes a Foreshore Licence application for the undertaking of SI activities only. These activities are required in order to inform the overall project feasibility, conditions at site and along the cable route, the various assessments required to progress the project and the development of the project.

This application does not comprise the ultimate consent application for the overall wind farm development which will be the subject of a future application to the appropriate authorities.

An **Accompanying Report** and **Schedule of Works** document are also included with this application and provide detailed information to supplement the information contained herein.

1.2 Possible MW output of final development:

Potential output of circa. 800 MW (subject to change following engagement with Transmission System Operator)

1.3 Type of surveys proposed (e.g. geophysical, geotechnical, archaeological or benthic.

Full details of the proposed surveys are as detailed in the **Schedule of Works** document and indicative survey locations are provided in **Map QS-000307-01-D460-002-003-001** provided in Appendix A. In summary these include the following;

Geophysical surveys proposed include:

- Multibeam Echosounder (MBES)
- Side Scan Sonar (SSS)
- Sub-Bottom Profiling (SBP) / Ultra High Resolution Seismic (UHRS)
- Magnetometer Survey

Geotechnical surveys proposed include:

- Boreholes
- Cone Penetration Testing (CPT)
- Vibro Core (VC) / Grab Sampling
- Down the Hole testing
- Trial Pits

Oceanographic & Metocean surveys proposed include:

- Equipment Deployment & Recovery from a vessel
- Acoustic Doppler Current Profiler (ADCP) to measure ocean currents
- Wave Buoys
- Floating Lidar Buoy to measure wind speed at height

Environmental/Ecological & Archaeological Surveys proposed include:

- Benthic Sampling
- Static Acoustic monitoring
- Archaeological Surveys

1.4 Survey methodologies and equipment to be used for each survey type proposed:

Detailed information on the techniques, methodologies and equipment of the SI are included in **Schedule of Works** document.

1.5 Describe the nature and scale of any structure to be erected on the foreshore for testing the suitability of the site. Is the structure proposed to be temporary or permanent?

No structures are proposed for erection on the foreshore.

1.6 Provide information on proposed mooring, marking and lighting arrangements for any proposed deployment of instrument arrays.

All device deployments will comply with the requirements of the Commissioners of Irish Lights (CIL) and will be agreed in consultation with the relevant department within the Irish Maritime Directorate within the Department of Transport prior to the commencement of any survey work.

1.7 Has the applicant held or does the applicant hold any previous Foreshore Licences, Leases or applications over the area sought or over any other area? (Give details including Department's file reference number(s)).

The applicant, ESB Wind Development Limited, does not hold any Foreshore Licence, Lease or applications for the area considered by this application and does not hold any other previous licences, leases or applications.

Other licences and leases related to the ESB group are as follows:

- Hibernian Wind Power Limited File Ref No. FS006318
- Hibernian Wind Power Limited File Ref No. FS006787
- Hibernian Wind Power Limited File Ref No. FS006788
- Hibernian Wind Power Limited File Ref No. FS006852
- Moneypoint Power Station File Ref No. FS007141

1.8 Indicative timing of the investigation works: (i) Start date (ii) Duration (iii) Any other information relevant to timing.

Detailed information on the timing and duration of SI activities are included in the **Schedule of Works**, subject to the grant of a Foreshore Licence.

1.9 Describe any likely interactions with activities of the public or other foreshore users during the investigative works (e.g. fishing, aquaculture, sailing, and surfing). Describe any measures proposed to minimise inconvenience to other users.

The **Accompanying Report** contains details on potential interactions with other marine users and describes measures proposed to mitigate inconvenience therein. The surveys and SI works will be of limited duration and it is envisaged that the impact will be imperceptible.

1.10	Describe any consultations undertaken to date with other foreshore users.							
	The Accompanying Report contains details on consultations undertaken to date.							
1.11	Describe any consultations undertaken to date with other consent authorities e.g. planning authority, Commission for Energy Regulation etc.							
	The Accompanying Report contains details on consultations undertaken to date.							
1.12	Describe briefly any consultations undertaken with relevant authorities (e.g. county council, port/harbour authority etc) or State Agencies e.g. National Parks & Wildlife Service (NPWS), National Monuments Service (NMS) of Department of Arts, Heritage and the Gaeltacht:							
	The Accompanying Report contains details on consultations undertaken to date.							
1.13	Describe briefly any support received or under application with the Sustainable Energy Authority of Ireland (SEAI) or other State Agency:							
	N/A							

Part 2: Proposed Site (See also Appendix A & Accompanying Report)

- 2.1 Delineate the proposed site in red on a latest edition map at a scale of 1:10 000 or larger scale if more appropriate and available, indicating:
 - (i) the entire area;
 - (ii) the hectarage involved below the line of high water of medium tides clearly marked in RED and
 - (iii) the area of foreshore involved in metric measurements (i.e. hectares, metres squared or square kilometres etc).

See attached **Drawing QS-000307-01-D460-002-001-000** provided in Appendix A.

Also provided in Appendix A for information purposes is **Drawing QS-000307-01-D460-002-000** which illustrates the export cable corridor area of search and the WTG array area of search within the foreshore licence boundary.

2.2 Geographic co-ordinates of the area under application, where the area can also be identified on the Ordnance Survey map, specify Ordnance Survey co-ordinates also.

ID	Easting (ITM)	Northing (ITM)	ID	Easting (ITM)	Northing (ITM)	ID	Easting (ITM)	Northing (ITM)
1	721033	736025	26	731505	736681	51	750502	720524
2	721321	735769	27	735650	735419	52	750599	720375
3	721857	735356	28	738802	733860	53	750829	719288
4	722344	734977	29	739575	733740	54	751317	718533
5	722383	734955	30	740242	733453	55	751336	718437
6	722393	734967	31	741193	732702	56	751441	718275
7	722306	735047	32	741740	732525	57	751451	718227
8	722106	735199	33	742218	732206	58	751545	718082
9	722301	735510	34	742605	731729	59	751565	717987
10	722581	735876	35	742841	731105	60	751670	717825
11	723421	735543	36	743134	730756	61	751765	717363
12	726076	735761	37	750881	730830	62	751781	717338
13	727666	735936	38	750450	728813	63	751886	716830
14	729576	736378	39	750345	728646	64	751923	716759
15	729582	736369	40	750659	727120	65	752657	713174
16	729597	736379	41	750662	727022	66	741580	713148
17	729597	736360	42	750665	726924	67	741305	722418
18	729605	736341	43	750598	726576	68	740193	722386
19	729619	736338	44	750665	726211	69	739948	730729
20	729653	736353	45	750649	726133	70	736615	730632
21	729624	736398	46	750670	726015	71	736656	729237
22	729759	736429	47	749869	722262	72	729043	726673
23	730033	736575	48	750041	721429	73	726186	728847
24	730116	736669	49	750281	720963	74	720198	732969
25	731996	736537	50	750473	720666	75	720049	733192

See **Drawing QS-000307-01-D460-002-004-000** provided in Appendix A illustrating these co-ordinates.

2.3 Delineate proposed site on relevant Admiralty Chart.

See **Drawing QS-000307-01-D460-002-001-000** provided in Appendix A

2.4 Relevant Local Authority:

Fingal County Council, Dublin City Council, Dún Laoghaire-Rathdown County Council & Wicklow County Council.

2.5 Location name and nearest townland name:

Site has been named 'Sea Stacks Offshore Wind' by ESB-Equinor.

The proposed survey area touches the coast within the townland of Howth and within Dublin City the areas of North Bull Island, Clontarf, Dublin Port, and the Poolbeg Peninsula.

2.6 Distance from nearest other developments, including any offshore renewable energy developments on the foreshore:

The site is located in close proximity to the following proposed ORE developments:

- Dublin Array (Kish Banks) (west of Sea Stacks Offshore Wind)
- Dublin Array (Bray Banks) (west of Sea Stacks Offshore Wind)
- Codling 1 (south of Sea Stacks Offshore Wind)

2.7 Distance from shore:

The wind turbine array area of search is approximately 12 km from the coast at its nearest point. The export cable corridor area of search extends to the shore where cable(s) will landfall. Site investigation survey works are proposed in both areas.

2.8 Distance from nearest aquaculture operation:

Data available from the Department of Aquaculture, Food and the Marine shows that the nearest aquaculture operation is over 47km from the application area.

2.9 Distance from any other sensitive location e.g. fish spawning ground, designated Shellfish Growing Waters

The Application area lies within spawning grounds of cod, nephrops, plaice and sole, as well as within nursery grounds for cod, haddock, herring, lemon sole, nephrops, plaice and whiting. Anglerfish, plaice, spotted ray, thornback ray, tope shark and sandeel also utilise the Application area as low-intensity nursery grounds. Nursery grounds for mackerel and horse mackerel are present within the wider vicinity, including throughout the Irish Sea and within a large area of the Celtic Sea. Due to the extent of the area of spawning and nursery activity and the limited spatial and temporal extent of the proposed surveys, no impacts to these habitats or species (or areas) are predicted.

2.10 Any other site details considered relevant:

The foreshore licence application boundary overlays areas previously licenced for historic 'Dumping at Sea' and oil / gas activities. Further information is included in the **Accompanying Report**.

Part 3: Nature Conservation Considerations (See also Appropriate Assessment Screening and Natura Impact Statement)

3.1 Distance from nearest Natura 2000 sites (i.e. Special Protection Area (SPA) or Special Area of Conservation (SAC):

Part of the proposed survey area lies within the following SPAs:

- [IE004024] South Dublin Bay and River Tolka Estuary SPA
- [IE004113] Howth Head Coast SPA
- [IE004006] North Bull Island SPA

The following SPAs lie within 1 km of the proposed survey area:

• [IE004172] Dalkey Islands SPA (0.5 km)

The following SPAs lie between 1km and 15 km from the proposed survey area:

- [IE004117] Ireland's Eye SPA (3.6 km)
- [IE004016] Baldoyle Bay SPA (3.9 km)
- [IE004025] Malahide Estuary SPA (9.3 km)
- [IE004186] The Murrough SPA (11.4 km)
- [IE004040] Wicklow Mountains SPA (12.3 km)
- [IE004069] Lambay Island SPA (12.7 km)
- [IE004015] Rogerstown Estuary SPA (14.2 km)

Part of the proposed survey area lies within the following SACs:

- [IE003000] Rockabill to Dalkey Island SAC (Annex I habitat and Marine Mammal QIs)
- [IE003015] Codling Fault Zone SAC (Annex I habitat QI)
- [IE000206] North Dublin Bay SAC (Annex I habitat QIs)
- [IE000210] South Dublin Bay SAC (Annex I habitat QIs)

The nearest SAC to the proposed survey area with Annex II diadromous fish Qualifying Interests is [IE00229] River Boyne and River Blackwater SAC (40.5 km)

3.2 Name and location of Natura 2000 sites in or around the project area:

Please refer to Section 4 and Table 4.1, 4.4, 4.5 and 4.6 in the **Appropriate Assessment Screening and Natura Impact Statement** for this Licence application for a full list of Natura 2000 sites in or around the project area.

3.3 Describe potential impacts of the site investigations on Natura 2000 sites.

Please refer to the **Appropriate Assessment Screening and Natura Impact Statement** which has been prepared for this Licence application. The Natura Impact Statement concluded that following application of suitable mitigation, project activities, either alone or in-combination with other plans or projects, would not have an adverse effect on the integrity of any Natura 2000 site.

3.4 Describe any measures proposed to mitigate possible impacts on Natura 2000 sites and other key marine receptors.

Full details of the mitigation measures are provided in the **Appropriate Assessment Screening and Natura Impact Statement** which accompanies this application. The following is a summary of the mitigation of measures proposed in the Natura Impact Statement for this Licence application.

South Dublin Bay and River Tolka Estuary SPA:

- [Wintering birds] Restriction of works within 1 km buffer to be enforced between September and March inclusive around the SPA;
- [Staging terns] Any work in the SPA (including vessel based, walkover surveys or work undertaken by tracked vehicles) will only be permissible within daylight hours between 0900 and 1700 from mid-July to September inclusive;
- [Staging terns] Outside daylight hours, no work within the SPA boundary, or within 100 m of the SPA boundary is permitted from mid-July to September inclusive;
- A 200 m buffer to be enforced around the following known breeding tern colonies:
 - o CDL (coal distribution LTD) dolphin;
 - ESB (Electricity supply board) dolphin;
 - o Pontoon No. 1 located North of Dublin port in the Tolka Estuary; and
 - Pontoon No 2. located by the great south wall.

North Bull Island SPA:

- [Wintering birds] Restriction of works within 1 km buffer to be enforced between September and March inclusive around the SPA.

Howth Head Coast SPA:

- [Breeding birds] Restriction of works within 1 km buffer of MHWS within SPA to be enforced between April and July inclusive.

Dalkey Islands SPA:

- [Staging birds] No survey vessels to transit within 200 m of SPA between July and September inclusive.
- [Breeding birds] No survey vessels to transit within 200 m of SPA between April and July inclusive.

Ireland's Eye SPA:

- [Breeding and wintering birds] No mitigation measures outlined

Baldoyle Bay SPA:

- [Wintering birds] Given the potential for connectivity between this estuarine SPA and South Dublin Bay and River Tolka Estuary SPA (which overlap lies within the area of proposed works) the mitigation measures proposed for South Dublin Bay and River Tolka Estuary SPA also mitigate possible ex situ impacts to Baldoyle Bay SPA.

Malahide Estuary SPA:

- [Wintering birds] Given the potential for connectivity between this estuarine SPA and South Dublin Bay and River Tolka Estuary SPA (which overlap lies within the area of proposed works) the mitigation measures proposed for South Dublin Bay and River Tolka Estuary SPA also mitigate possible ex situ impacts to Malahide Estuary SPA.

The Murrough SPA:

- [Wintering birds] No mitigation measures outlined

Lambay Island SPA:

- [Breeding and wintering birds] No mitigation measures outlined

Rogerstown Estuary SPA:

- [Wintering birds] Given the potential for connectivity between this estuarine SPA and South Dublin Bay and River Tolka Estuary SPA (which overlap lies within the area of proposed works) the mitigation measures proposed for South Dublin Bay and River Tolka Estuary SPA also mitigate possible ex situ impacts to Rogerstown Estuary SPA.

North Dublin Bay SAC and South Dublin Bay SAC:

- All work undertaken in the intertidal by tracked vehicles will avoid the areas
 of all qualifying interests (excluding [1140] mudflats and sandflats) (plus a
 suitable buffer to ensure their structural integrity as required), the
 boundary of which will be delineated through a survey of the area prior to
 such work commencing;
- Movement of tracked vehicles in the intertidal will be restricted to the minimum number of tracks necessary to achieve the sampling. This will reduce areas of compaction allowing rapid recovery of the small area affected after the cessation of the work, ensuring the natural condition of the feature is maintained;
- Movement of tracked vehicles will be restricted to the minimum number of access tracks necessary to achieve the sampling. Access tracks will avoid areas of qualifying interests above MHWS wherever possible; and
- Works on the intertidal using a tracked vehicle will be overseen by an Ecological Clerk of Works to ensure adherence to the above measures.

Codling Fault Zone SAC:

 In order to ensure no adverse effects on the conservation objective of the SAC, mitigation will be put in place to ensure that no extractive survey methods (or placement of anchors or jack up legs) cause damage to these qualifying interests. This will be achieved by using geophysical survey data to identify the locations of potential Annex I habitat. Any areas of potential reef will be avoided through micrositing of equipment or survey location.

Marine Mammals

No Likely Significant Effects was concluded for the marine mammal Qualifying Interests (QIs) of 13 relevant SACs for the Project both alone and in combination with other plans/projects. Mitigation measures will implemented regardless, in line with the DAHG (2014)[1] Guidance to manage the risk to marine mammals from man-made sound sources in Irish waters, to negate any possible effects of auditory injury resulting from noise arising from survey works on marine mammals. Mitigation measures which the Project will implement include pre-start monitoring and procedures for ramp-up, survey line or station changes and breaks in sound output (as per section 4.3.4 of DAHG, 2014). With (or without) these mitigation measures, the proposed site investigation work will not adversely affect the conservation objectives of any of the 13 relevant SACs with marine mammal QIs, either alone or in combination with other plans or projects.

3.5 Describe any other projects or plans for the area, anticipated or developed, that in combination with this proposal, may have a significant effect on a Natura 2000 site:

Appendix C of the **Appropriate Assessment Screening and Natura Impact Statement** for this Licence application (Table C.1) describes other projects or plans for the area, anticipated or developed, that in combination with this proposal, may have a significant effect on a Natura 2000 site. These projects and activities, both offshore wind and routine port and harbour activities, have been considered in the in-combination assessment of the Appropriate Assessment Screening and Natura Impact Statement for Sea Stacks Offshore Wind.

The Natura Impact Statement concluded that following application of suitable mitigation, project activities, either alone or in-combination with other plans or projects, would not have an adverse effect on the integrity of any Natura 2000 site.

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^[1] DAHG. (2014). Guidance to manage the risk to marine mammals from man-made sound sources in Irish waters. January 2014. Prepared by the National Parks and Wildlife Service of the DAHG

Part 4: Navigational Safety Considerations (See also Appendix A)

4.1 Distance from shipping lanes at nearest point. Illustrate on the appropriate marine charts accompanying the application.

The proposed foreshore licence area overlaps the Dublin Bay Traffic Separations Schemes (TSS), one to the north of Buford Bank and one to the south of Buford Bank, this is illustrated on the accompanying Foreshore Licence submission drawings. There are no other no formally designated shipping lanes in close proximity to the proposed foreshore licence area. The above TSSs are illustrated on **Drawing QS-000307-01-D460-002-001-000** provided in Appendix A.

4.2 If a safety zone for passage of shipping (including fishing and leisure boats) is sought, supply details and give reasons.

N/A

4.3 If temporal /spatial restrictions are sought on the use of any type of fishing gear or leisure activity within the area, provide details and justification for such restrictions and indicate location(s) on appropriate marine charts.

N/A

Declaration and Consent:

The details provided here are correct to the best of my knowledge.

I understand that no works will be commenced, by me or my agents on the proposed site, without the prior written consent of the Minister. The granting or refusal of any foreshore investigation licence will not give rise on the part of the applicant to any expectation whatsoever for, right or entitlement to a grant of any future foreshore permission in respect of all or any part of any area of foreshore.

By submitting this application form, I agree that the details provided (with personal contact details redacted) are to be published on the Department of Housing website and also that the full information provided including contact details are to be processed and retained by the Department of Housing, Planning and Local Government and shared with all appropriate Prescribed Bodies (as part of the Prescribed Bodies Consultation process) in furtherance of consideration for a foreshore Consent under the Foreshore Act 1933 (and Foreshore Amendment Act 2011).

I give consent to the Minister and his servants to copy this application and to make (a redacted) copy available for inspection and copying by the public. This consent relates to this application, to any further information, or submission provided by me or on my behalf and to the publication of the licence document

Signed for and on behalf of the applicant:



Name of Signatory (block letters):



Position Held:

Offshore Wind Project Director (Ireland), ESB

Date: 23/11/2020

Return completed applications to:

Marine Environment and Foreshore Section Department of Housing, Planning and Local Government Newtown Road Wexford Y35 AP90

Enquiries to: Foreshore@housing.gov.ie (Other contact details to be included in Guidance

materials)

Email a copy of application documents: <u>Foreshore@housing.gov.ie</u>

APPENDIX A: DRAWINGS







