

Submission HLG 00064 -23: Screening for Appropriate Assessment Determination on Foreshore Licence Application FS007588 Wicklow Sea Wind Limited for Site Investigations off Co. Wicklow

TO: Minister
STATUS: Completed
PURPOSE: For Decision and Signature

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DIVISION: Foreshore
DECISION BY: 03/03/2023

Final comment

Minister approved submission and signed screening determination. 2 March 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

Wicklow Sea Wind Limited have applied for a Foreshore Licence under the Foreshore Act to survey an area suitable for the installation of an export cable corridor to connect to a potential offshore wind farm.

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 likely to have a significant effect on European sites. 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 site.

Detailed information

Overview

Inis Offshore Wind (funded by the Temporis Aurora Fund) with the support of Warwick Energy has identified projects that could support the Irish Government's Climate Action Plan and 7 GW capacity targeted for 2030. This same team is behind applications for foreshore licences for surveys for windfarm arrays for Kinsale, Leinster, Kerry and Munster and an application for foreshore license for surveys for an export cable corridor for Párla.

The Wicklow Export Cable Corridor Foreshore Licence Application area (herein the cable Area of Search (AoS)) was identified considering a variety of constraints (i.e. engineering and environmental constraints such as areas of high steep gradients, wrecks, dumping grounds and environmental designations such as SACs designated for benthic features).

The foreshore licence application for Wicklow Sea Wind Limited is to survey an area suitable for the installation of an export cable corridor to connect a proposed fixed foundation offshore wind project (the "Wicklow Project") in the Celtic Sea (approximately 8km off the east coast of Wicklow) to the grid.

The Foreshore Licence application is to undertake the surveys and investigations to inform the route of the export cable corridor. The cable AoS covers the transmission assets area only. A separate Foreshore Licence was submitted in 2021 to cover the offshore wind generation assets.

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 Wicklow Sea Wind Limited were examined by Department's Marine Advisor and informed the Screening for Appropriate Assessment. These are:

- Foreshore Application form (**Tab 04**)
- Foreshore Licence Map (**Tab 05**)
- Supporting Information for Screening for Appropriate Assessment (**Tab 06**)
- Natura Impact Statement (**Tab 07**)
- Non-Statutory Environmental Report (**Tab 08**)
- Statement of Compliance with National Marine Planning Framework (**Tab 09**)
- Schedule of Works (**Tab 10**)

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

[gov.ie](http://www.gov.ie) - FS007588 Site Investigations by Inis OffShore Wind Ltd for Cable Route off County Wicklow (www.gov.ie)

Environmental Report

The Screening for Appropriate Assessment Report was completed by the Department's Marine Advisor (Environment) on the 27th January 2023. 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 in relation to the Screening for Appropriate Assessment by the Minister:

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'), 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 County Wicklow, 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, 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.

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 report is contained in the tabs below.

Tab 01 contains the **Screening Determination for Appropriate Assessment** 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

HLG 00113-23: Screening for Appropriate Assessment Determination on Foreshore Licence Application FS007163 Wicklow Sea

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