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SWC Promotions: promoting the natural heritage resource values of the South Wexford Coast.

6 January 2023

Minister for Housing, Local
Government, and Heritage,
Foreshore Section,
Department of Housing, Local
Government, and Heritage,
Newtown Road,
Wexford.
Y35 AP90

Via email to foreshoreORE@housing.gov.ie

Re: Foreshore Licence Application Reference No: FS006983.

Dear Minister,

Thank you for your invitation by public notice dated Wednesday 30 November 2022 for submissions or observations on appropriate assessment regarding an application for a foreshore licence in connection with site investigations for possible cable corridors in relation to the potential development of an offshore wind farm approximately 25km offshore in the Celtic Sea by SSE Renewables (Ireland) Ltd. The opportunity to comment is welcomed.

My submission is confined to the proposed cable corridor off Bannow Bay, Co Wexford, within the 12 nautical mile limit. With regard to that corridor, I submit that the proposed plan or project is likely to adversely affect the integrity of a unique cluster of Natura 2000 sites (also known as 'European sites') on the south Wexford heritage coastline by virtue of its in-combination impact.

Furthermore, I submit that the application is premature with regard to Marine Protected Areas (MPAs). While I appreciate that your invitation to comment relates specifically to screening in connection with site investigations, and that Marine Protected Areas (MPAs) may not seem to be directly relevant, I submit that since the appropriate assessment process is designed to advance the conservation of the Natura 2000 network, and since Natura 2000 sites supporting marine habitats are *de facto* Marine Protected Areas (MPAs), that the issue is relevant.

My grounds for making this submission are set out below.

... / continued

1. **In-combination impacts.** In-combination impacts are defined as the incremental and cumulative impacts a plan or project is likely to have with other developments, operations or activities including developments that are at a proposal or planning stage. “... *an appropriate assessment of the implications for the site concerned of the plan or project must precede its approval and take into account the cumulative effects which result from the combination of that plan or project with other plans or projects in view of the site’s conservation objectives*” (EC, 2014 page 46; and OPR, 2021 pages 6-7).
 - 1.1. The appropriate assessment submitted by the developer comprises Appendix B of the Supporting Document (Intertek, 2019). While that assessment does not specifically address the issue of in-combination impacts, the issue is addressed in the body of the Supporting Document.
 - 1.2. The only in-combination offshore wind farm development considered in the body of the Supporting Document is the proposed Inish Ealga project in Co Cork (FS006859) with the explanatory note “*Although the application is not available on the DHPLG ‘Applications and Determinations’ website, the DHPLG has confirmed that a pre-application to carry out marine surveys to inform the development of the Inis Ealga offshore windfarm has been submitted.*” While the proposed Inish Ealga project that is 40km distant from the application site is referred to, the immediately adjoining North Celtic Sea project (FS006982) is not referred to (Intertek, 2019 pages 36-38, Section 3.2 and Drawing No P2278-A2-OTHR -001C on page 38).
 - 1.3. Even though the North Celtic Sea project is not mentioned in the body of the Supporting Document, it is referred to in Section 2.6 of the developer’s Application Form (FS006982, page 10) but not in Section 3.5 of that document (*ibid.*, page 12).
 - 1.4. Matters have moved on rapidly since the present application was submitted in 2019. There are now six known offshore wind farm developments proposed for the South Wexford Coast (Table 1 and Figure 1). These six projects are in the public domain; there may well be others in development.

1	Offshore Wind Farm Project:	North Celtic Sea
	Developer:	Energia Renewables ROI Ltd
	Foreshore Licence Ref No.	FS006982
2	Offshore Wind Farm Project:	Celtic Sea Array
	Developer:	SSE Renewables (Ireland) Ltd
	Foreshore Licence Ref No.	FS006983
3	Offshore Wind Farm Project:	South East Wind
	Developer:	Mainstream Renewable Power Ltd
	Foreshore Licence Ref No.	FS007374
4	Offshore Wind Farm Project:	Celtic Horizon
	Developer:	Celtic Horizon Offshore Wind Farm Limited
	Foreshore Licence Ref No.	FS007384
5	Offshore Wind Farm Project:	Bore Array
	Developer:	Bore Array Ltd
	Foreshore Licence Ref No.	FS007464
6	Offshore Wind Farm Project:	East Celtic
	Developer:	Celtic Offshore Renewable Energy Limited
	Foreshore Licence Ref No.	FS007488

Table 1. Offshore wind farm projects on the south Wexford Coast.

(Source: <https://www.gov.ie/en/collection/f2196-foreshore-applications-and-determinations/>)

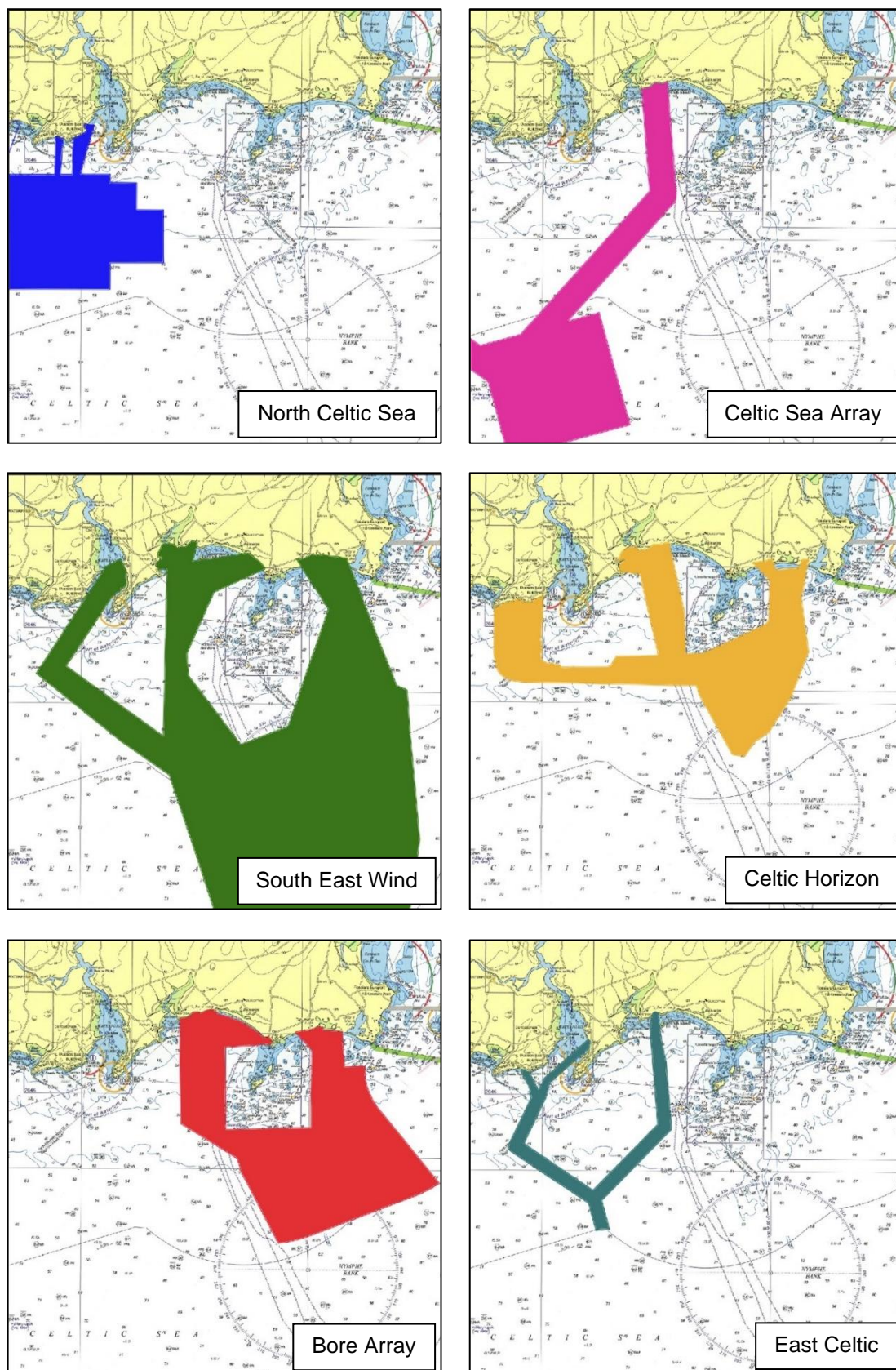


Figure 1. Indicative locations of areas under investigation regarding six proposed wind farm developments on and off the South Wexford Coast.

(Source: Table 1 and <https://www.gov.ie/en/collection/f2196-foreshore-applications-and-determinations/>)

- 1.5. Site investigations for the North Celtic Sea project (FS006982) have reportedly been completed (<https://www.northcelticseawind.ie/energia-renewables-reaches-key-milestone-as-seabed-surveys-are-successfully-completed/>) so site investigations for that wind farm project will not have an in-combination impact by overlapping with the present application. However, there is a likelihood that other in-combination impacts may arise if some or all of the six known offshore wind farm developments proposed for the South Wexford Coast are advanced. The cumulative impact of so many potential investigations being conducted on a relatively short stretch of heritage coastline needs to be assessed.
- 1.6. Roughan and O'Donovan (ROD), Consulting Engineers, were commissioned by the Foreshore Unit of the Department of Housing, Local Government, and Heritage to conduct independent screening of the present application. They identified the potential risks to the natural environment arising from the proposed development as (1) disturbance from vibration and underwater noise associated with surveys on fisheries and other taxa, (2) disturbance of benthic communities from vibration, and (3) impacts on water quality arising from vessels i.e., fuels and oils (ROD, 2022 page 8). They also identified that the zone of impact of the cable corridors overlapped with some Natura 2000 sites. They concluded: *"It is the considered opinion of ROD, as the author of this AA Screening Report, that the proposed development, either individually or in combination with other plans or projects, is likely to give rise to impacts which would constitute significant effects on eight European sites, namely the Mid-Waterford Coast SPA, the Keeragh Islands SPA, the Ballyteige Burrow SPA, the Bannow Bay SPA, the Ballyteige Burrow SAC, the Saltee Islands SAC, the Hook Head SAC, and the Bannow Bay SAC in view of their Conservation Objectives, and, therefore, that AA is required in respect of the proposed development."* (ROD, 2022 pages 1-2).
- 1.7. The Marine Advisor Environment determined that appropriate assessment is required.
- 1.8. Appropriate assessment might consider the following *ex situ* issues regarding wild birds.
- 1.8.1. In addition to supporting a breeding population of Cormorants during the summer, the Keeragh Islands are an important night roost site for waterbirds and wildfowl during the winter.
- 1.8.2. Lady's Island Lake (Special Protection Area Site Code IE0004009) supports the largest mixed tern colony (four Annex 1 species) in Ireland. During the summer, terns from that colony forage at Bannow Bay.
- 1.8.3. In autumn, Bannow Bay is a post-breeding staging post for migrating terns (Burke *et al.*, 2020 page 37, Table 1).
- 1.8.4. Ballyteige Bay is a wintering ground for divers (Lovatt, 2014). Divers are known to have a high sensitivity to disturbance and/or displacement (Burke, 2018 page 20, Table 4).

2. Marine Protected areas (MPAs).

- 2.1. Background and the current position are as follows. In autumn 2019, the Department of Housing, Local Government, and Heritage initiated a process aimed at expanding Ireland's network of Marine Protected Areas (MPAs). The first step in the process was to convene an advisory group to provide independent expert advice and recommendations on the processes required and the challenges to be addressed in expanding Ireland's MPA network. The expert advisory group reported to the Minister on 22 October 2020 and their

final 336-page report was published on 26 January 2021 (MPAAG, 2020). That was followed by a five-month period from mid-February 2021 to the end of July 2021 of public consultation centred around the report and the wider MPA process. The feedback received was reviewed and analysed independently and a 69-page report published on 31 March 2022 (RPS, 2022). On 27 July 2022, the Government approved the development of a General Scheme of a Bill to provide for primary legislation for marine protected areas. That work is currently ongoing. The proposed legislation is intended to work in parallel with the Maritime Area Planning Act (2021) and the suite of existing legal biodiversity protection measures, such as provisions under the Wildlife Acts, the Marine Strategy Framework Directive, the EU Birds and Habitats Directives, the EU Common Fisheries Policy, and others, in order to effectively balance all conservation requirements and the long-term, sustainable use of Ireland's valuable and diverse marine environment (<https://www.gov.ie/en/publication/e00ec-marine-protected-areas/>).

- 2.2. National objectives seek on the one hand, to rapidly develop offshore wind farming while, on the other hand, to significantly expand marine protected areas (CAP23, 2022 pages 240-248). Both objectives are potentially conflicting on the South Wexford Coast as the significant number of existing Natura 2000 sites are *de facto* Marine Protected Areas (MPAs) (Figure 2).

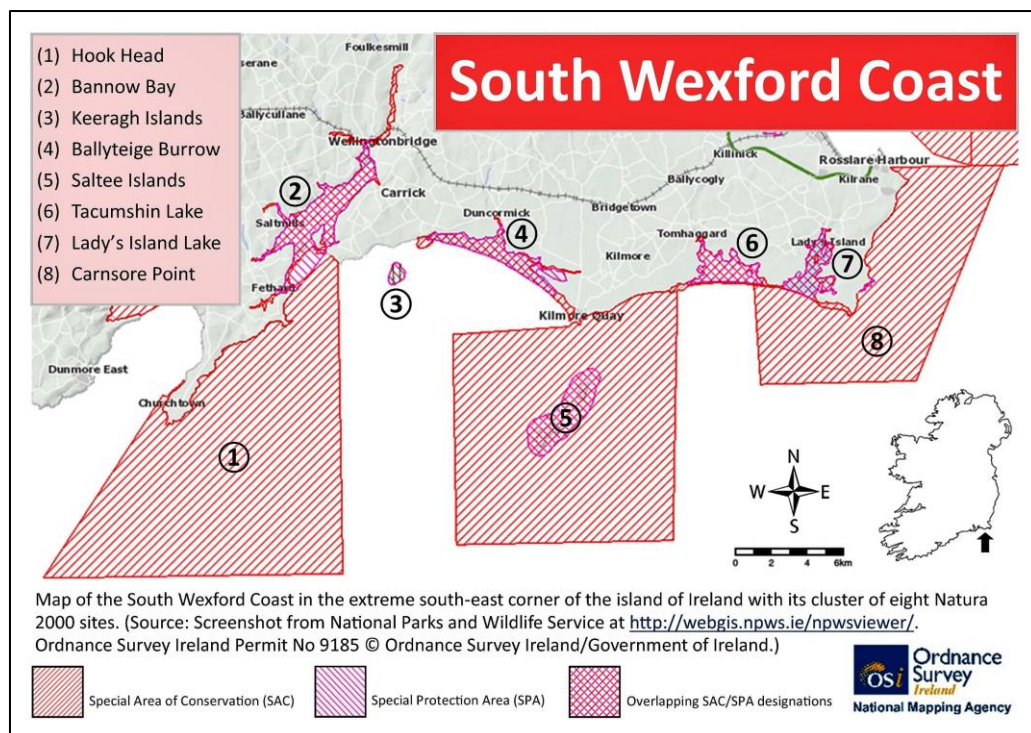


Figure 2. Cluster of eight Natura 2000 sites on the South Wexford Coast.

(Source: www.southwexfordcoast.com)

- 2.3. While the 'new integrated marine sustainable development plan' promised by government has not yet been published, the decision to advance renewable energy projects first (*Maritime Area Planning Act 2021*, Number 50 of 2021) and to leave the expansion of marine protected areas until later, runs the risk of deepening the present biodiversity crisis. Wind farms have a working life of say 25-30 years and when decommissioned are very likely to be replaced by more efficient, and more environmentally friendly renewable energy technologies.

2.4. The 'Southeast Coast' in general, and specifically the South Wexford Coast, the heartland of the Southeast Coast, are identified areas of interest for possible Marine Protected Area (MPA) designation (Figure 3) (Fair Seas, 2022 and Hurley, 2021).

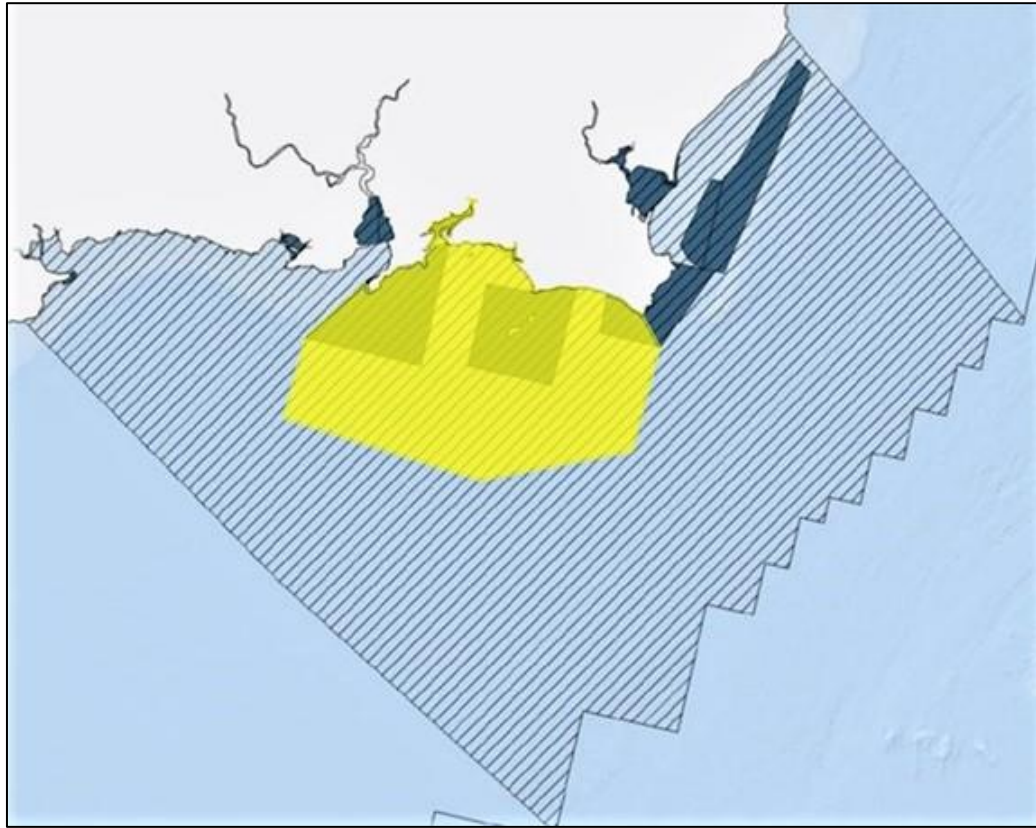


Figure 3. Southeast Coast MPA Area of Interest (hatched) with existing de facto MPAs (dark blue) and the proposed South Wexford Coast MPA highlighted (yellow).

(Sources: Fair Seas, 2022 page 50, Figure 2.9.1 and Hurley, 2021 page 3, Figure 1)

2.5. In addition to the already points made in the case for the proposed South Wexford Coast Marine Protected Area (pSWCMPA) (Hurley, 2021), some additional supporting points are set out in Appendix 1 below.

I trust this submission will receive due consideration in your determination of foreshore licence application number FS006983. I urge you consider the bigger picture and the longer-term perspective, to take a more holistic and synergetic view of the natural heritage resource values of the South Wexford Coast by adapting an area approach to nature conservation in order to ensure that these values are conserved as a whole, interconnected entity rather than as scattered fragments isolated like arks adrift in a sea of uncertainty.

Yours sincerely,

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Appendix 1: Some additional supporting points regarding the proposed South Wexford Coast Marine Protected Area.

The following points support the case already made (Hurley, 2021) proposing that the South Wexford Coast be considered an area suitable for designation a Marine Protected Area (MPA).

1. The South Wexford Coast is one of the most studied and most documented coastal areas in Ireland. During the late 1970s, the Electricity Supply Board commissioned 18 major environmental reports as part of the baseline studies conducted for a planned nuclear power station at Carnsore Point. Some of the authors of these reports extended their study area to Hook Head. When the plan for the proposed nuclear power station was abandoned, many of the consultants and scientists involved in the baseline studies continued to conduct research in the area. Marine life was particularly well researched (Healy and McGrath, 1998).
2. In March 1992, Wexford County Council published its Coastal Zone Management Plan for the county prepared by consultants Brady Shipman Martin (WCC, 1992). With regard to nature conservation on the South Wexford Coast, the consultants considered *“that the area is unique and that there are a number of issues deserving of special study. Accordingly we recommend that detailed area action plans be prepared ... at an early date.”* (WCC, 1992 pages 20-21). The recommended plans were never prepared.
3. The national BioMar survey of the 1990s provided, for the first time, descriptions of the littoral and sublittoral habitats and associated communities of the entire coast of the Republic of Ireland. The survey also identified the most important sites in Ireland for high species diversity for possible conservation as marine protected areas. The sole such area on the south and east coasts of Ireland, east of Lough Hyne in Co Cork, was ‘the Saltee Islands area’ in Co Wexford. That area was defined as *“the coastline from Carnsore Point to Hook Head including the Saltee Islands out to Coningbeg Rock”* (Figure 4) (Costello and Emblow, 1997 pages 49-51).

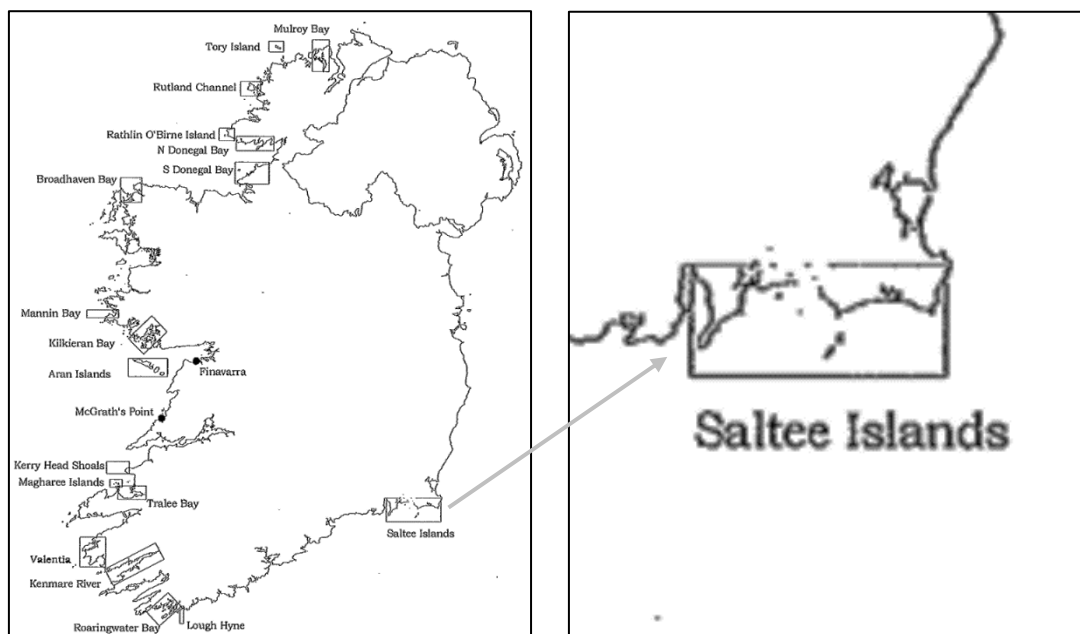


Figure 4. Map showing indicative areas for marine nature conservation in Ireland.

(Source: Costello and Emblow, 1997 page 49, Figure 5)

4. In December 1997, the government published its draft policy for coastal zone management in Ireland (BSM, 1997). In the national context, the coastal strip from Hook Head to Greenore Point, including all of the South Wexford Coast, was identified by the consultants as Coastal Cell/Major Planning Unit No 4, one of thirteen major coastal planning units in Ireland (Figure 3).



Figure 5. Coastal Cell/Major Planning Unit No 4.

(BSM, 1997 page 187, Figure 14.1)

5. The Basking Shark (*Cetorhinus maximus*), the second biggest fish in the world, is listed a protected species under Section 23 of the Wildlife Act. The area south of the South Wexford Coast is a hotspot for the species. The hotspot is a “sub-surface one” in an “area of high productivity” possibly linked to the Celtic Sea Front (personal communication, Dr Emmett Johnston, The Irish Basking Shark Group, <https://www.baskingshark.ie/>).
6. Beds of Eelgrass (*Zostera marina*) are regarded important blue carbon sinks and important sites for maintaining marine faunal biodiversity. The plant’s known distribution on the South Wexford Coast has been greatly expanded in recent years due to field work by Coastwatch, especially Mick Berry and Karin Dubsy, and recording by Paul Green, Recorder for the Botanical Society of Britain and Ireland (BSBI). The plant occurs at the Keeragh Islands and in the Bannow Bay area (Figure 4). “There is an urgent need to build on the current knowledge on Irish seagrass beds with frequent and long term monitoring as any further decline in *Zostera* habitats in Ireland would undoubtedly have an adverse affect on Irish marine biodiversity.” (Dale *et al.*, 2007 page 32).

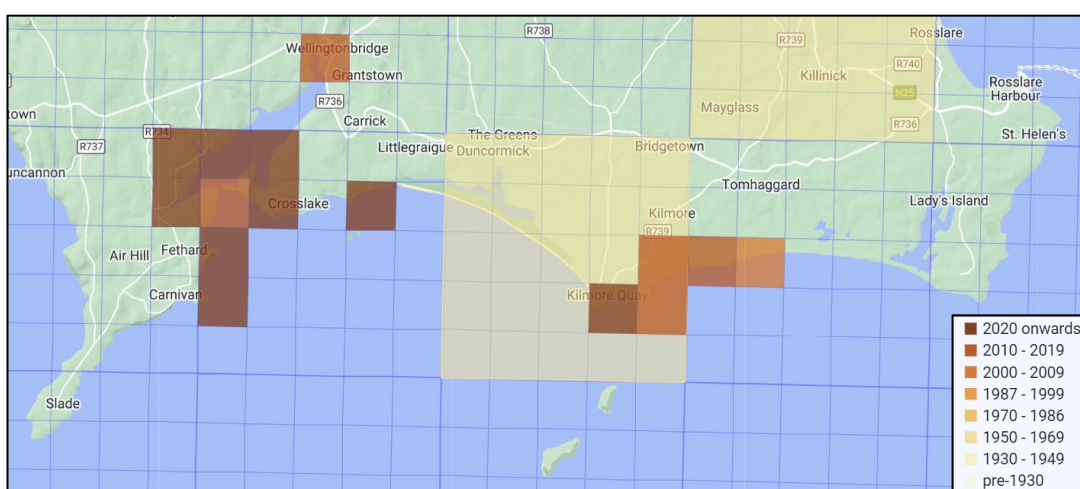


Figure 6. Distribution of Eelgrass (*Zostera marina*) on the South Wexford Coast.

(Source: <https://bsbi.org/maps?taxonid=2cd4p9h.pbo>
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