

# FS007138 ESB Celtic Offshore Wind Site Investigations Prescribed Bodies Consultation

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## **No Response received from the following Prescribed Bodies:**

Waterford Co Co

NOTE: Request for observations issued on -02/03/2023 and reminders issued 11/04/2023 & 17/04/2023. No response was received.

**From:** [REDACTED]@agriculture.gov.ie>  
**Sent:** Tuesday 11 April 2023 10:46  
**To:** [REDACTED]@housing.gov.ie>  
**Cc:** Foreshore <Foreshore@agriculture.gov.ie>  
**Subject:** RE: FS007138 ESB Celtic Offshore Wind off Co Cork & Waterford

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**Our Ref: FW.8.106 - ESB Wind Development Ltd - site investigation works off County Cork and to the southwest of County Waterford**  
**DHLGH Ref: FS007138**

Dear [REDACTED],

I refer to your request for comments/observations from this Department in relation to this application by ESB Wind Development Ltd.

The Marine Engineering Division of DAFM has no objection to this application.

I reminder did issue to our other consultees; no reply has been received to date.

Please accept this email as the final comments from the Department of Agriculture Food and the Marine.

Regards,

[REDACTED]  
Foreshore Section  
Department of Agriculture, Food and the Marine  
National Seafood Centre, Clogheen,  
Clonakilty, Co. Cork,  
P85 TX47  
Tel: +353 [REDACTED]  
Email: [REDACTED]@agriculture.gov.ie  
[www.agriculture.gov.ie](http://www.agriculture.gov.ie)

**From:** Housing Fem Dau <Fem.Dau@npws.gov.ie>  
**Sent:** Tuesday 4 April 2023 15:39  
**To:** [REDACTED]@housing.gov.ie>  
**Subject:** RE: FS007138 ESB Celtic Offshore Wind off Co Cork & Waterford

Good afternoon [REDACTED],

Please find below the Heritage related observations/recommendations of the Department for the above mentioned Foreshore application.

### **Underwater Archaeology**

The Department are charged, on behalf of the Minister, with assessing potential development impacts on underwater archaeology by making recommendations to the relevant planning authorities, consultees and other regulatory bodies on developments which have the potential to impact on underwater archaeology. The submitted documentation in relation to the above Foreshore Licence application for marine site investigation surveys in support of a future offshore wind development offshore of Dublin has been reviewed by the UAU.

The Celtic Offshore Wind project – Celtic One Offshore Wind a fixed foundation project and Celtic Two Offshore Wind a floating foundation project – are carrying out assessments to determine, within the project area, the water depth, seabed slope, designated nature conservation sites, planning/environmental constraints, access to the national grid, port facilities, navigation channels and cable landing locations. The proponents propose to commence site investigation and baseline survey work on a phased approach in Q2/Q3 2022 with surveys proceeding over the course of the 5-year licence period. Detection device consents (consent references 22R0274 and 22R0145) have previously been issued by this Department for geophysical surveys of the project area. Survey data was acquired in 2022 within the proposed array and export cable corridor areas under licence 22R0145. Consent 22R0274 was issued for additional works in an extension of the existing survey area within the proposed array site to include a block of seabed outside the 12 Nautical Mile limit. No reports have been received to date in relation to both consents.

FS007318 will primarily consist of the following surveys pending the development of the project's ground model:

- Multi beam echosounder (MBES)
- Sub-bottom profiler (SBP)
- Ultra-high resolution seismic (UHRS)
- Side scan sonar (SSS)
- Magnetometer

- Geotechnical surveys
- Metocean surveys
- Environmental surveys.

Section 5.11 (Cultural Heritage) of the application document 'Celtic Offshore Wind – Site Investigation Non-Statutory Environmental Report to Accompany Foreshore Licence Application for Site Investigation Works Submission to: Department of Housing, Local Government & Heritage Document No.: QS-000316-01-R460-003-000 Date: August 2022' contains a brief overview of the potential effects of the project and proposed mitigation pertaining to archaeology. It is noted that 'there are a number of known shipwrecks within the proposed Foreshore Licence area. 19 known shipwrecks are identified within the Celtic One WTG AoS, 12 known within the Celtic One export cable corridor AoS and 10 known within Celtic Two export cable corridor AoS'. No mitigation is proposed in relation to Cultural Heritage and it is omitted from 'Table 7.1 Assessment of potential impacts associated with SI activities within the Foreshore Licence area'. The application documentation does not adequately assess the archaeological potential of the application area and the sufficiency or otherwise of the proposed mitigation cannot therefore be addressed without further information. The Department notes that the proposed Foreshore Licence application area contains numerous wrecks protected under Section 3 of the 1987 National Monuments (Amendment) Act within the Application Area. The Wreck Inventory of Ireland Database (WIID) is the official register of historic shipwrecks protected under the National Monuments Acts. All wrecks over 100-years old are protected under the 1987 and 1994 (Amendment) Acts of the National Monuments Acts. Over 18,000 wrecks have been recorded to date within the WIID, ranging from small fishing boats, logboats and coastal traders to steamships and ocean going ships. Though earlier sources have been included where obtainable, the Inventory is largely based on documentary sources available from after 1700AD. As such, it is important to stress that previously unrecorded wreck sites, including those dating to earlier periods, may await discovery in the application area under consideration here. National policy, as set out in *Frameworks and Principles for the Protection of the Archaeological Heritage* states 'there should always be a presumption in favour of avoiding developmental impacts on the archaeological heritage' and, given the archaeological sensitivity of the application area, this core principle should be proactively enshrined within the design process. Similarly, the area of Cork Harbour has known palaeolandscapes deposits and the application area adjoins a suite of Recorded Monuments on the east side of the harbour. The monuments are subject to statutory protection in the Record of Monuments and Places established under Section 12 of the National Monuments (Amendment) Act 1930-2014.

In light of the above the Department recommends the following Conditions be included with any Foreshore Licence that may issue:

1. A desk study Underwater Archaeological Impact Assessment (UAIA) report shall be forwarded by the licensee to this Department for review and approval prior to the geophysical survey works taking place. The desktop assessment will allow for the identification of wrecks and other underwater archaeological features and areas of potential within the Foreshore Licence Application Area so that when geophysics is being undertaken, their locations will be known in advance and they can be targeted for specific survey methodologies, as appropriate. The assessment shall include a full inventory and mapping of the sites of all identified and recorded archaeological/cultural heritage features and structures (including industrial, vernacular and maritime/fishing structures) and any wrecks or potential wrecks within the Foreshore Licence Application Area identified from a review of the Wreck Inventory of Ireland Database and any previous geophysical survey data sets available. Where archaeological materials/areas of archaeological potential, wrecks are shown to be present, the report shall recommend mitigation measures and shall highlight how these areas will be targeted for detailed geophysical survey. Having completed the work, a written report shall be submitted to this Department for review and no works shall be undertaken until a response has been received.
2. The proposed geophysical surveys shall be carried out in advance of any geotechnical works to ensure all potential impacts to the underwater cultural heritage are avoided.
3. A Protocol for Archaeological Discoveries shall be agreed in advance of the commencement of any geophysical or geotechnical works with this Department.
4. Geophysical survey of all geotechnical and potential areas of physical impact is required. At a minimum geophysical surveys shall include side scan, sonar, magnetometer and multibeam echo sounder that are targeted at the recording of underwater cultural heritage. The geophysical surveys shall be licenced under the National Monuments Acts 1930-2014. A Dive Survey Licence (Section 3 1987 National Monuments Act) and Detection Device consent (Section 2 1987 National Monuments Act) will be required. Licence applications, accompanied by Method Statements, shall be sent for vetting and approval to this Department. No surveys shall be undertaken in advance of receipt of licences.
5. Should any dive surveys be required in connection with proposed geophysical surveys and archaeological surveys these shall be licenced (Section 3 1987 National Monuments Act). Any dive survey shall be accompanied by a handheld metal detection survey which shall also be licenced (Section 2 1987 National Monuments Act). All archaeological diving shall comply with the Health and Safety Authority's Safety, Health and Welfare at Work (Diving) Regulations 2018/2019.
6. An Underwater Archaeological Impact Assessment (UAIA) report shall be forwarded to this Department for review and approval prior to the geotechnical works taking place. The UAIA shall include the following:

- a. Results of geophysical survey data sets assessment by a suitably qualified and experienced archaeologist to ensure that proposed geotechnical works do not negatively impact on locations where there is known or potential archaeology and to ensure no samples or cores are taken from an area where a wreck site/underwater cultural heritage site is located. The archaeologist should also be suitably experienced, with a track record in dealing with and the interpretation of marine geophysical data for archaeological purposes, including ensuring it is of sufficient specification for the identification of underwater cultural heritage.
- b. Outcome of a detailed visual walk-over survey of the foreshore/intertidal area accompanied by a metal detection survey of areas proposed for SI works on the foreshore/intertidal zone.
- c. Assessment of geophysical data for all proposed geotechnical investigation locations (including the taking of vibro-cores and grab samples). The assessment shall be undertaken by a suitably and demonstratively qualified archaeologist to ensure that the proposed works do not negatively impact on locations where there is known or potential archaeology and to ensure no samples or cores are taken from an area where a wreck site is located.
- d. Once all surveys and interpretations have been completed, the full information should be compiled into a UAIA report and submitted to this Department for review and further comment, prior to undertaking any invasive geotechnical works. The UAIA Report should contain a detailed Archaeological Impact Assessment that addresses all identified potential impacts on underwater archaeological heritage and should also make recommendations on mitigation measures to avoid or mitigate all impacts. Potential secondary or indirect impacts, such as access roads or construction works to facilitate access to the waterways, for example, shall also be included. If potential or identified sites, features or artefacts cannot be avoided (preservation *in situ*) by geotechnical works, then the UAIA Report Recommendations should put forward an archaeological mitigation strategy to address this, including preservation by record (archaeological testing and/or full archaeological excavation). Where archaeological material/features are shown to be present, preservation in situ, avoidance, preservation by record (archaeological excavation) or archaeological monitoring may be required. The Licensee shall be prepared to be advised by this Department in this regard or in regard to any subsequent recommendations that may issue.

7. Following the completion of all geotechnical works the licensee shall furnish the project archaeologist with the results of all site investigation works and shall provide them access to site investigation cores and physical samples for review. Where potential submerged palaeolandscapes deposits are identified they shall be, where suitable samples are available, radiocarbon dated in agreement with this Department and subject to approval of Licences to Alter and Export from the National Museum of Ireland. Following the completion of all geotechnical and archaeological works and any necessary post-excavation specialist analysis, the National Monuments Service shall be furnished with a final archaeological report describing the results of the works. All resulting and associated archaeological costs shall be borne by the developer.

You are requested to send any further correspondence to this Department's Development Applications Unit (DAU) at [fem@npws.gov.ie](mailto:fem@npws.gov.ie)

Kind regards,

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*Executive Officer*

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**An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta**  
*Department of Housing, Local Government and Heritage*  
**Aonad na nIarratas ar Fhorbairt**  
*Development Applications Unit*

**From:** [REDACTED] (Transport) [REDACTED]@transport.gov.ie>

**Sent:** Friday 10 March 2023 13:34

**To:** [REDACTED]@housing.gov.ie>

**Cc:** foreshore@agriculture.gov.ie; environmentalcoordination@agriculture.gov.ie; Housing Fem Dau <Fem.Dau@npws.gov.ie>; Transport MSO <MSO@transport.gov.ie>; PlanningInfo

<PlanningInfo@CorkCoCo.ie>; planning@waterfordcouncil.ie; [REDACTED] (Housing)

[REDACTED]@housing.gov.ie>; [REDACTED]@housing.gov.ie>; [REDACTED]

[REDACTED]y@housing.gov.ie>; [REDACTED]@decc.gov.ie>;

[REDACTED]@housing.gov.ie>; [REDACTED]

[REDACTED]housing.gov.ie>; [REDACTED]@npws.gov.ie>; [REDACTED]

[REDACTED]@housing.gov.ie>

**Subject:** RE: FS007138 ESB Celtic Offshore Wind off Co Cork & Waterford

Good day [REDACTED]

It is noted that the Site Investigation Works contained within the application are located in / near **extremely busy coastal shipping lanes** which include the approaches to the Port of Cork and Youghal and will likely have a significant detrimental impact to the safe navigation of shipping as well as active fishing and recreational users.

The MSO reserves the right to raise concerns or not support of future planning applications relating to this project on the basis of safety of navigation.

However the following points shall be of note;

1. The Licensee shall, through consultation and agreement with the Department of Transport, Marine Survey Office and Commissioners of Irish Lights, arrange for the publication of a Marine Notice through the Maritime Safety Policy Division.
2. The promulgation and frequency of Navtex and radio broadcast warnings shall be agreed in advance with the Irish Coast Guard for the duration of the license period.
3. The marking and lighting of any moored instruments shall be carried out in consultation with the Marine Survey Office and Commissioners of Irish Lights. Lighting and marking shall be compliant with International Association of Aids to Navigation (IALA) requirements. Information regarding the position of any markings which create a hazard to navigation shall be promulgated to the mariner via publication of a marine notice and all available means appropriate.
4. The Licensee shall ensure all appropriate measures are taken for the duration of any on-site activity to ensure the safety of navigation is maintained. Any hazard to safe navigation shall be easily identifiable to all mariners operating within or in the vicinity of the license area.
5. Engagement with the Ports of Cork, and Youghal on planned operations considering the proximity of the site investigation area to the approaches to the two ports.
6. All vessels engaged in the above must conform to Irish Certification standards and the vessels be manned by suitably qualified personnel, additionally where equipment is carried an Irish Load line survey may be required. The applicant should contact the Marine Survey Office Dublin for clarification in relation to the above matters.
7. On completion of operations the applicant shall be obliged to inform the United Kingdom Hydrographic Office (UKHO) providing bathymetry data so that appropriate charts can be updated. (Fax: 0044 1823 284077, email: [hdc@hdc.hydro.gov.uk](mailto:hdc@hdc.hydro.gov.uk))



Regards,

[REDACTED]  
*Nautical Surveyor  
Marine Survey Office*

**An Roinn Iompair**  
*Department of Transport*

**Lána Líosain, Baile Átha Cliath, D02 TR60**  
Leeson Lane, Dublin, D02 TR60

Office + 353 1604 1604  
[REDACTED]

[REDACTED] [@transport.gov.ie](mailto:[REDACTED]@transport.gov.ie)  
[www.gov.ie/transport](http://www.gov.ie/transport)

**From:** [REDACTED]@Marine.ie>  
**Sent:** Tuesday 11 April 2023 17:36  
**To:** [REDACTED]@housing.gov.ie>  
**Cc:** Housing ForeShoreORE <foreshoreORE@housing.gov.ie>  
**Subject:** RE: FS007138 ESB Celtic Offshore Wind off Co Cork & Waterford

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Dear [REDACTED]  
Attached are the MI obs  
Apologies for the delay  
All the best  
[REDACTED]

---

[REDACTED]  
*Section Manager – Licensing and Policy Advice  
Marine Environment and Food Safety Services  
Marine Institute/Foras na Mara  
Rinville, Oranmore  
Galway, Ireland  
H91R673*

*Landline:* [REDACTED] *Mobile:* + [REDACTED]  
[www.marine.ie](http://www.marine.ie)

**One attachment received with this submission, please see next page**

**Date:** 11/04/2023

**To:** [REDACTED] Foreshore - DHLGH

**From:** [REDACTED] Marine Institute

**CC:** foreshoreORE@housing.gov.ie

**Re:** FS007138 Celtic Offshore Wind project – ESB Wind Development Limited

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ESB Wind Development Ltd submitted a foreshore application for site investigation works to be carried out in a defined area off Cork coast and along cable route corridors towards the coastline to Aghada in Cork Harbour. The application is for permission to carry out site investigation works only and extends to ecological, geophysical and geotechnical surveys over the proposed licence application and cable route areas.

The overall aim of the site investigations is to collect the necessary data and information required to inform the engineering and detailed design of the proposed windfarm and cable route ashore within the foreshore licence application area. It is noted the installation of a windfarm and associated infrastructure in the area in the future would be the subject of a separate Foreshore Lease / Licence application and is not the subject of this current application.

It is proposed that the site investigations will include:

1. Geophysical Survey - involving the use of multibeam echo sounder, sidescan sonar, Sub-Bottom Profiling (SBP) / Ultra High Resolution Seismic (UHRS), magnetometer,
2. Geotechnical survey – involving cone penetration testing as well as vibrocore and gravity coring, boreholes and the collection of grab samples for sediment and faunal analysis. The exact location, quantity and type of geotechnical samples collected would be subject to the results of the geophysical survey.
3. Environmental Survey – It is anticipated that benthic grab samples (0.1m<sup>3</sup>) will be collected. The exact location would be subject to the results of the geophysical survey. Video or still photographs will also be collected. Other ecological studies will include Bird, fisheries and marine mammal (using SAMs) surveys.
4. Metocean - It is also intended to deploy of wind, wave and current measuring devices (LIDAR buoy, Wave Buoys and ADCPs) in the survey area

The proposed site investigation methods are relatively standard and have been used previously in similar investigations in Irish waters and internationally.

It is intended that the proposed survey works would be phased over a period of 3 years following award of licence and specific survey scope will range from 2 months to 3 years in duration.

The NIS submitted identifies a number of risks to conservation features (e.g., marine mammals) likely to result from the proposed activity. As mitigation, a number of actions are suggested that should reduce the risk. Foremost among these is the use of marine mammal observers (MMO) during operations including a 'soft start' protocol. In addition, it is noted that 24hour operations are desired and on that basis the operators propose to utilise a Passive Acoustic Monitoring system with experienced operators in order to facilitate pre-start monitoring during night hours or periods of unsettled weather. The Marine Institute agrees with this approach.

It is the view of the MI that during assessment of likely effects, however, that the licencing body consider the in-combination effects on species (marine mammals and birds, in particular) that the proposed surveying activities may have with other similar activities likely to occur in the vicinity.

Furthermore, we would consider that wider effects on habitats (outside of licenced area) also be assessed. In particular, it is our view that such ORE data gathering surveys be carried out in a co-ordinated fashion in order to avoid redundancy of effort and minimise disturbance while also broadening the baseline of information on habitats and species. In addition, having this baseline data will facilitate future assessment of impacts of OREs beyond the footprint of the licence/lease area. The MI notes the application FS007136 potential cable route into Cork Harbour overlaps this area, in part.

In relation to cumulative effects with other activities, we draw the Department's attention to Natura assessments to consider interactions between Natura qualifying interests and aquaculture operations (existing and proposed) that have been carried out nationally and more specifically, in areas adjacent to the proposed application area. These reports can be found at the following link and give an indication of likely aquaculture activities occurring in the general area.

[Cork and Waterford Aquaculture AA reports pre-2020](#)

Furthermore, we draw the Department's attention to fishery risk assessments relating to Natura Qualifying interests that have been carried out nationally and more specifically, on the south and west coasts. These reports can be found at the following link and give an indication of likely fisheries activities occurring in the area in question.

<http://www.fishingnet.ie/sea-fisheriesinnaturaareas/concludedassessments/southandwestcoasts/>

The MI is satisfied that such measures will mitigate any risk to marine mammals in the immediate area during the site investigations. However, it is advised that DHLGH identify any similar geophysical/geotechnical surveys that might be carried out in the vicinity and ensure that they not coincide with this survey. Furthermore, in light of the intensive nature of the methodologies proposed, it would be important that DHLGH consider the cumulative effects of these activities in light of the location and timing of similar activities along the South Coast (and other sites more further afield) and consider the likely longer term effects on marine mammals and biota, if any, and how these effects might be measured?

**From:** [REDACTED]@fisheriesireland.ie>  
**Sent:** Thursday 30 March 2023 14:26  
**To:** [REDACTED]@housing.gov.ie>  
**Cc:** Housing Foreshore <foreshore@housing.gov.ie>  
**Subject:** RE: FS007138 ESB Celtic Offshore Wind off Co Cork & Waterford

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Hi [REDACTED]  
Please find attached the comments from IFI in relation to FS007138.

Kind regards  
[REDACTED]

[REDACTED]  
**Senior Research Officer**

[REDACTED]@fisheriesireland.ie • +353 [REDACTED] • [www.fisheriesireland.ie](http://www.fisheriesireland.ie) • D24 CK66



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**One attachment received with this submission, please see next page**



Iascach Iníre Éireann  
Inland Fisheries Ireland

## **MARINE LICENCE VETTING COMMITTEE:**

**RE: Request for observations FS007138 ESB Celtic Offshore Wind off Co Cork & Waterford**

**Request for observations from Ms. [REDACTED] (DHLGH) dated 02.03.2023**

### **Overview:**

ESB are seeking a foreshore licence to conduct site investigation activities at the Celtic One Offshore Wind area and potential export cable corridor areas off the coast of Counties Cork and Waterford.

Surveys include geophysical, geotechnical, metocean, ecological, archaeological.

Works to take place over 5 years

### **IFI Comment**

There is no comment on diadromous species within the NIS document despite the presence of these qualifying interest species within the zone of influence of the site investigations. There is no reference to twaite shad which is a hearing specialist, as they have an auditory apparatus

The nearest significant rivers, in terms of potential use by anadromous fish species to proposed site are the Lee (Cork harbour), the Bandon (30km approx. west of Cork harbour) and Munster Blackwater rivers (30km approx. east of Cork harbour). All rivers support populations of migratory salmonids, European eel and migratory lamprey species. The Blackwater is a nationally important fishery for salmon (*Salmo Salar*) and Brown/sea trout (*Salmo trutta*) and is designated as an SAC (site code IE0002170) and includes the following fish species within its qualifying interests:

- Atlantic salmon (*Salmo salar*)
- Sea lamprey (*Petromyzon marinus*)
- River lamprey (*Lampetra fluviatilis*)
- Twaite shad (*Alosa fallax*)



**Iascach Iníre Éireann  
Inland Fisheries Ireland**

Anadromous fish species will typically spend time feeding in estuaries and coastal areas before entering fresh water. For example, glass (juvenile) eel gather in tidal estuaries such as those at the mouth of the Bandon river, nearby River Stick to the west and the River Dissour and Blackwater to the east of Cork harbour, before migrating upstream. Juvenile sea and river lamprey can remain in such estuaries and coastal areas for extended periods while lasting up to two years before migrating upstream.

The overall area the subject of this Foreshore Licence application is 617 km<sup>2</sup> and extends significantly eastwards from Cork Harbour. The proposed works have the potential to affect anadromous fish species as they feed and migrate along the coast by:

- way of noise pollution/vibration
- suspended sediment
- pollution via drift of contaminated sediment or by accidental oil/fuel spills during works

IFI would point out that the mitigation measures and guidance of NPWS in regard to marine mammals are not transferrable to fish species. The fish remain invisible to any shore- or boat-based observer. Mitigation measures should aim to reduce the sound generated, in intensity and duration. The 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 should be undertaken. This measure should be a condition of the foreshore licence. 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.

To avoid the possibility of accidental spillage of oil/fuel associated with machinery or inshore shallow water vessels, a series of mitigation measures compatible with best practice should be followed (Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters' (DAHG, 2014).

██████████ IFI R&D) and ██████████ (IFI)  
30.03.2023

**From:** [REDACTED]@housing.gov.ie>  
**Sent:** Tuesday 11 April 2023 15:42  
**To:** [REDACTED]@housing.gov.ie>  
**Subject:** RE: FS007138 ESB Celtic Offshore Wind off Co Cork & Waterford

[REDACTED]  
Report attached  
Barry

Regards  
[REDACTED] M.Eng. M.I.E.I.,  
Marine Advisor and Engineering Inspector.

National & Regional Planning Policy,  
Department of Housing, Local Government & Heritage,  
Oak House,  
Mahon Industrial Estate,  
Bessboro Road,  
Mahon,  
Cork.

**One attachment received with this submission, please see next page**





Foreshore Unit,  
Department of the Housing, Local Government & Heritage,  
Newtown Road,  
Co. Wexford.

11/04/2023

**File Ref:** FS007138

**Re:** Foreshore Licence application to conduct site investigation activities for potential offshore renewable energy development and potential export cable corridors.

**Applicant:** ESB Wind Development Ltd, a wholly owned subsidiary of ESB.

**Site Location:** Off the coast of Counties Cork and Waterford.

**Supporting information considered:**

- Application Form.
- Application Drawings and Maps
- NSER
- Schedule of Works

**Project Overview and Background**

The Celtic Offshore Wind project is being explored by ESB as a pair of potential offshore wind farms on the south coast of Ireland. The project is comprised of two elements, namely Celtic One Offshore Wind, a fixed foundation project, and Celtic Two Offshore Wind, a floating foundation project. Both elements are located to the south of County Cork and to the southwest of County Waterford.

**Brief description of the proposed works.**

This licence application area covers the area within the 12 nautical mile limit which contains the array area and the export cable corridor for Celtic One Offshore Wind and the export cable corridor for Celtic Two Offshore Wind. The array area for Celtic Two Offshore Wind will be outside the 12 nautical mile limit and so outside the remit of this application.

At a high level the objectives of the site investigation 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.
- To provide the project team with information on the archaeological conditions at the site.

**Type of surveys proposed.**

**Geophysical Surveys**

- Multi beam echosounder (MBES).
- Sub-bottom profiler (SBP).
- Ultra-high resolution seismic (UHRS).
- Side scan sonar (SSS).
- Magnetometer surveys.



### **Geotechnical surveys**

- Seabed Piezocone Penetration Test (PCPT) testing at a pre-defined number of locations within seabed sediments, to refusal.
- Sampling/coring boreholes at a pre-defined number of locations to a nominal depth.
- Down-the-hole (or similar) Cone Penetration Testing (CPT) inside the boreholes at different depths as dictated by geotechnical conditions.
- Vibro-coring (or piston coring) at a pre-defined number of locations to a nominal depth.
- Grab sampling at a pre-defined number of locations.
- Trial pits at specified locations within cable pull-in zone.
- Offshore and onshore laboratory testing of recovered samples.

### **Metocean surveys**

- Acoustic Doppler Current Profiler (ADCP).
- Wave buoys.
- Floating Lidar buoy.

### **Environmental/Ecological surveys**

- Benthic sampling
- Walkover surveys
- Archaeological survey
- Static acoustic monitoring
- Fisheries, fish and shellfish surveys
- Ornithology surveys
- Marine mammal surveys
- Shipping and navigation surveys

## **Marine Advisor Assessment and Review**

### **Appropriate Minister**

As the proposed activity/works are not in relation to a fishery harbour centre, or an activity which is wholly or primarily for the use, development or support of aquaculture, or sea-fishing including the processing and sale of sea-fish and manufacture of products derived from sea-fish the appropriate minister under the Foreshore Acts is the Minister for Housing, Local Government & Heritage.

### **Coastal Processes**

The proposed site investigation works will have no impact on the existing coastal processes.

### **Estate Management**

#### **Site Consent and Application History**

The area proposed for licence is shown on the Foreshore Licence Map submitted with the application. All foreshore is presumed state owned unless proven otherwise. There are no known or established claims of private ownership of the foreshore within the proposed licence area. Therefore the foreshore the subject of this application is currently presumed state owned and proposed development does not conflict with the existing overlapping and adjacent consents or applications nor does it significantly injure the public use of, access to and enjoyment of foreshore.

The proposed site investigations under this application will not conflict with any existing consented activities, developments or any applications under consideration.

Total area of foreshore the subject of the application is: **61,711.6ha**

### **Public Interest and National Marine Planning Framework**

Section 2 and 3 of the Foreshore Act, as amended, states that a lease or licence of state foreshore may be granted “If, in the opinion of the Minister, it is in the public interest”. As state owned foreshore is a finite and valuable state resource and a public amenity, it is important that each plan and project is fully assessed to ensure, that if consented to, it is a sustainable and proper use of that resource. Having considered and assessed the relevant issues associated with the proposed site investigation, subject to the conditions set out below, I am satisfied that the proposed works are in the public interest.

The National Marine Planning Framework (NMPF) is a national plan for Ireland’s marine area including the Foreshore. It sets out, over a 20-year horizon, how we want to use, protect and enjoy our marine area. The NMPF sits at the top of the hierarchy of plans and sectoral policies for the marine area and provides a coherent framework in which those sectoral policies and objectives can be realised. All decisions on individual applications determined under the Foreshore Act, must secure and be consistent with the objectives of the plan, similar to the way that terrestrial plans form part of the decision-making tool-kit in the on-land planning process. NMPF objectives are supported by specific policies that articulate factors that can form part of objective consideration.

Having reviewed and assessed the information on file against the objectives of the NMPF, I am satisfied the proposed works do not act significantly against any objective within the NMPF. Furthermore, the project is aligned and secures key sectoral/activity objectives including those outlined in Chapter 13 Energy – Offshore Renewable. Accordingly, I am satisfied that this Site Investigation for ORE is aligned with and secures the objectives set out in the NMPF.

### **Assessment & Conclusion**

The foreshore the subject of this application off the south coast is state owned, there are no conflicts with existing licences, leases or applications and the works as proposed are in the public interest and consistent with the NMPF. The works if completed as proposed and in accordance with the conditions set out below will not have significant adverse impacts on the public use of, access to and enjoyment of the foreshore, navigation, fisheries or the environment (subject to MLVC confirmation).


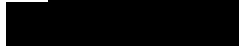
### **Recommendation**

I have no objection to the granting of Foreshore Licence under Section 3 of the Foreshore Act for this application subject to the following conditions;

1. The Licensee shall use that part of the foreshore, the subject matter of this licence for the purposes as outlined in the application and for no other purposes whatsoever.
2. The following drawing shall be attached to and referenced in the licence document; Foreshore Licence Map, Drawing Number: QS-000316-01-D460-002-001-001, Date 22/11/2021, Rev: 1.
3. The licensee shall notify the Department of Housing, Local Government and Heritage at least 14 days in advance of the commencement of any works on the foreshore. This notification shall include an up to date Programme of Works for the completion of the project.
4. During the course of the shore and nearshore site investigation works the Licensee shall ensure that public access to, use and enjoyment of the beach and shore is

maintained and not hindered significantly and all necessary precautions are put in place to protect the public in accordance with relevant Health and Safety Legislation.

5. The foreshore shall be restored to its natural condition on completion of the site investigation works to the satisfaction of the Department of Housing, Local Government and Heritage.
6. The Licensee shall submit, to the Department, the 'as deployed' location for all monitoring devices.
7. At the end of each phase and/or calendar year, the Licensee shall inform the Department of the work completed to date and the works planned for the coming year.
8. The Licensee shall ensure that contractors, and their subcontractors, are made aware of all conditions and project specific requirements and they are required to have briefings on these to ensure all parties are fully aware of these requirements.

  
 M.Eng. M.I.E.I.  
Engineering Inspector and Marine Advisor

**From:** [REDACTED]@irishlights.ie>  
**Sent:** Monday 27 March 2023 10:55  
**To:** [REDACTED]@housing.gov.ie>  
**Cc:** Housing ForeShoreORE <foreshoreORE@housing.gov.ie>  
**Subject:** FS007138 ESB Celtic Offshore Wind off Co Cork & Waterford

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Good Morning [REDACTED]

I hope you are keeping well.  
Please find attached response from Irish Lights regarding FS007138.

Kind Regards,

[REDACTED]

[REDACTED]

Navigation Support Officer

.....

[REDACTED]

**Commissioners of Irish Lights**  
Harbour Road, Dun Laoghaire, Co. Dublin, Ireland  
A96 H500

<http://www.irishlights.ie>

.....



**One attachment received with this submission, please see next page**



Commissioners of  
**IRISH LIGHTS** | Navigation  
and Maritime  
Services

**Commissioners of Irish Lights**  
Harbour Road, Dun Laoghaire  
Co. Dublin, Ireland

**T** +353.1.271.5400  
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**E** [info@irishlights.ie](mailto:info@irishlights.ie)  
**W** [www.irishlights.ie](http://www.irishlights.ie)

Department of Housing, Local Government and Heritage  
Newtown Road,  
Carricklawn,  
Wexford,  
Y35 AP90

**FS007138 ESB Celtic Offshore Wind off Co Cork & Waterford**

To whom it may concern,

Thank you for contacting Irish Lights requesting observations on this foreshore licence application FS007138, dated 02<sup>nd</sup> March 2023.

Irish Lights notes from the application that there will be a number of Aids to Navigation (AtoN) deployed: wave buoys, Lidar buoys and the possibility of guard buoys for the acoustic monitoring equipment. Before any aid to navigation can be established, altered or disestablished consent in the form of Statutory Sanction under the Merchant Shipping Act must be obtained from the Commissioners of Irish Lights. The aid must be coloured and marked as per IALA (International Association of Marine Aids to Navigation and Lighthouse Authorities) standards. We note from the document 'Schedule of works' that the word 'amber' is used. We would advise when applying for Statutory Sanction that this be replaced with 'yellow' as per the IALA guidelines.

The foreshore license sought is located close to shipping routes and a relatively high-density area for maritime traffic. Irish Lights would take cognisance of shipping routes in evaluating any application for the placement of aids to navigation, including data acquisition buoys.

Cork Harbour is a busy shipping Port, any activities within the proposed foreshore application area would require careful planning to avoid any obstruction of the Port and the operation of lifeboat services. Irish Lights therefore advise consultation with local Port authorities.

Within the proposed Investigative Foreshore License Application area, there are a number of aids to Navigation. Irish Lights request mariners navigating around the coast of Ireland to exercise the greatest care to avoid damage to Aids to Navigation. Mariners should give all Aids to Navigation a wide berth, paying particular attention to the strength of wind and tide.



Commissioners of  
**IRISH LIGHTS** | *Navigation  
and Maritime  
Services*

**Commissioners of Irish Lights**  
Harbour Road, Dun Laoghaire  
Co. Dublin, Ireland

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**E** [info@irishlights.ie](mailto:info@irishlights.ie)

**W** [www.irishlights.ie](http://www.irishlights.ie)

If you have any queries please do not hesitate to contact myself or a member of the team.

Yours sincerely,



**Capt.**   
***Navigation Services Manager***

**From:** [REDACTED]@CorkCoCo.ie>

**Sent:** Monday 3 April 2023 15:07

**To:** [REDACTED]@housing.gov.ie>; Housing ForeShoreORE  
<foreshoreORE@housing.gov.ie>

**Subject:** FS007138 ESB Celtic Offshore Wind - Site investigations

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Good afternoon [REDACTED]

Please find attached the comments and observations on the above FRA from Cork County Council's Ecology Team.

Best Regards,

[REDACTED]

[REDACTED] - **Éiceolaí Cúnta - Aonad Polasai Pleanála, Pleanáil agus Fobairt**  
Comhairle Chontae Chorcaí, Úrlar 3, Halla an Chontae, Corcaigh, T12 R2NC, Éire  
**Fón:** +353 [REDACTED] [@corkcoco.ie](mailto:[REDACTED]@corkcoco.ie)

[REDACTED] - **Assistant Ecologist - Planning Policy Unit, Planning & Development**  
Cork County Council, Floor 3, County Hall, Cork, T12R2NC, Ireland  
**Tel:** +353 (0) [REDACTED] [@corkcoco.ie](mailto:[REDACTED]@corkcoco.ie)

**One attachment received with this submission, please see next page**



## FS007138 ESB Celtic Offshore Wind - Site investigations

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**Project Description:** ESB Wind Development Limited has applied to the Minister of Housing, Local Government and Heritage for a Foreshore licence under Section 3 of the Foreshore Act 1933, as amended, to undertake marine site investigations to inform feasibility assessments and design relating to the Celtic Offshore Wind project to the south of County Cork and to the southwest of County Waterford. Surveys will be undertaken in an area under consideration for development of an offshore wind farm array and along a potential export cable corridor from the array area back to the shore and at potential cable landfall areas. These site investigation works include geophysical surveys, geotechnical surveys, metocean surveys, environmental/ecological and archaeological surveys.

### Cork County Council Comments and Observations

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**Policy** - Having regard for all off-shore energy projects, foreshore applications and associated site investigations, consideration should be given to policy outlined in Cork County Council's **County Development Plan 2022**, including but not limited to:

*ET 13-9: National Wind Energy Guidelines;*

*ET 13-10: Development in line with Best Practice;*

*ET 13-11: Public Consultation and Community Support;*

*ET 13-16: Ocean and Off-shore Wind Energy;*

*ET 13-21: Electricity Network; and*

*ET 13-22: Transmission Network*

*BE 15-1: Support and comply with national biodiversity protection policies*

*BE 15-2: Protect sites, habitats and species*

*BE 15-6: Biodiversity and New Development (d)*

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The Natura Impact Statement, Risk Assessment for Annex IV Species and associated documents (i.e. Screening for Appropriate Assessment) provided for viewing in the [Foreshore Notice](#) have been reviewed and the following are comment and observations made by the Ecology Unit in Cork County Council:

It is acknowledged that, while there will be no spatial overlap with designated European sites, the FLA survey area will be proximal to Cork Harbour SPA and within 15km of Great Island Channel SAC, Ballycotton Bay SPA, Old Head of Kinsale SPA and Sovereign Islands SPA.

Regarding Cork Harbour SPA, we agree that the precautionary approach of not conducting any surveys within 1km of the SPA between September and March, the timing of survey works, no significant impacts to overwintering Special Conservation Interest species will occur. Regarding Common Tern, we also note and welcome that a 200m buffer will be in place during the breeding season. The applicants should note that BirdWatch Ireland has up-to-date IWeBS data for overwintering birds in Cork Harbour and that the Port of Cork should be contacted regarding the most recent information in relation to common tern breeding sites, population status, etc.

Cork County Council does not have the relevant expertise to comment on the impacts caused to marine ecology by geophysical and geotechnical surveys.

I note that the Screening for Appropriate Assessment report, submitted by the applicant, screened out potential impacts, namely injury and Disturbance from underwater noise, for twaite shad (*Alosa fallax*). However, the Screening for Appropriate Assessment report, prepared by the Marine Advisor, asserts that *'in accordance with the precautionary principle the possibility of likely significant effects as a result of underwater noise from the proposed project on migratory fish species cannot be excluded'*. The Natura Impact Statement, submitted by the applicants, does not account for potential impacts to Annex II migratory fish species. It is unclear whether an addendum/revised NIS will be requested by the Foreshore section to include Annex II migratory fish species. Should it be the case that an addendum to the current Natura Impact Statement or a revised NIS is to be prepared, the Ecology Unit of Cork County Council will review the Natura Impact Statement and provide input and observations when it is published.

Regarding Annex IV Species, Cork County Council welcome the precautionary approach to mitigate against the potential effects of auditory injury resulting from noise arising from survey works on the marine mammals and recommend that mitigations outlined in the Risk Assessment for Annex IV Species and the Natura Impact Statement be made conditions of licensing.



Assistance Ecologist  
Cork County Council

03/04/2023

**From:** [REDACTED]\_gmail.com>  
**Sent:** Tuesday 18 April 2023 23:39  
**To:** [REDACTED]@housing.gov.ie>  
**Cc:** [REDACTED]@sfpa.ie> [REDACTED]@sfpa.ie>  
**Subject:** FS007138 ESB Celtic One and Two Site investigations inside 12nm

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Hello [REDACTED],

Apologies for the late delay in sending the SFPA comments to you regarding the application by ESB.

As stated earlier to you, the fisheries data information within the application and associated documents seemed somewhat light in comparison to other applications for wind farm site investigations. On further investigation of SFPA fisheries catch and port data, the applied area is for many of the small inshore (inside 12nm) vessels vitally important for the coastal communities.

I have attached my report on the application and excuse any typing errors as I am blind to the document at this stage.

Kind regards,

[REDACTED]

**One attachment received with this submission, please see next page**





The site investigations are likely to cause spatial squeeze for both the inshore and offshore sectors of the fishing industry as access restrictions will be in place when the surveys are underway.

The inshore potters targeting crustaceans concentrate their fishing effort all along the Waterford and East Cork coastline and effective communication from the applicant to the fishing industry operating in the applied area will be required well in advance of any survey taking place to ensure that the fishermen have time to move their fishing gear from the survey area.

The main species caught within the applied area while not necessarily high in volume with regards to Ireland's total annual catch (quota share) are important to the local fishing community, there are annual landings recorded for the applied area for high value fish species such as *Merluccius merluccius*, *Lophius spp.*, *Melanogrammus aeglefinus*, *Gadus morhua* and *Lepidorhombus whiffiagonis*.

The applicant appears not to have included sufficient information at this stage on the fisheries in the area, which may be affected by the proposed site investigations, a general overview of the species presented has been alluded to but as highlighted above, high resolution of catch data is not available currently.

It is not envisaged that the site investigations will cause difficulties with conducting official controls for the SFPA within the applied areas. The applicant has engaged a Fisheries Liaison Officer for the duration of the project.

2. *Impacts, if any, on shellfish growing areas adjacent to or within the area and the possible impact on the ability of the SFPA to conduct official controls and possible non-compliance issues that could arise.*

The proposed cable route into Cork harbour is adjacent to the classified bivalve mollusc production area of Rostellan (CK-CH-RN)

The main species of bivalve mollusc harvested adjacent to the proposed cable route is Pacific Oyster, *Crassostrea gigas*.

It is unlikely that the proposed site investigations will have any impact on the ability for the SFPA to conduct official control activities.

3. *Possible impacts, if any, on seafood safety.*

The main food safety concern during the site investigation works is the risk of an accidental pollution event occurring.

The bivalve mollusc fishery for *C.gigas* is an all year round operation.

The main Irish market for *C.gigas* is Europe and extends to Asia with live exports on a weekly basis throughout the year.



Effective and immediate communication between the applicant and their operators with the SFPA is required if the risk of potentially contaminated shellfish being placed on the market is to be avoided. The applied area falls within the port areas of SFPA Dunmore East & Clonakilty Port Office. In addition to the Port Offices, The Food Safety & Fisheries Support Office of SFPA headquarters should also be contacted

Contact details for SFPA Offices within the applied area.

- Dunmore East Port Office; [dunmore@sfpa.ie](mailto:dunmore@sfpa.ie) +353 51 383135
- Clonakilty Port Office; [sfpa\\_clonakilty\\_port@sfpa.ie](mailto:sfpa_clonakilty_port@sfpa.ie) +353 23 8859300
- Clonakilty Food Safety & Fisheries Support; [sfpafood&fisheriessupport@sfpa.ie](mailto:sfpafood&fisheriessupport@sfpa.ie) +353 23 8859300

**Sea-Fisheries Protection Authority**

**Date: 18-4-2023**

**From:** [REDACTED]@housing.gov.ie>  
**Sent:** Wednesday 19 April 2023 12:27  
**To:** [REDACTED]@housing.gov.ie>  
**Cc:** [REDACTED]@housing.gov.ie>; [REDACTED]  
[REDACTED]@housing.gov.ie>; [REDACTED]@housing.gov.ie>  
**Subject:** RE: FS007138 ESB Celtic Offshore Wind off Co Cork & Waterford

Hi [REDACTED]  
MA Environment PBC Report for FS007138 as attached,  
[REDACTED]

**One attachment received with this submission, please see next page**



Dear [REDACTED]  
Foreshore Unit,  
Department of the Housing, Local Government and Heritage,  
Newtown Road, Co. Wexford  
19/04/2023

### **Prescribed Bodies Consultation - Environmental Report**

**Re:** FS007138 Site investigations off the coast of counties Cork and Waterford  
**Applicant:** ESB Wind Development Ltd

Dear [REDACTED],  
Your email of the 02/03/2023 refers to this licence application for Site investigations off the coast of counties Cork and Waterford.

Cork Harbour is of major ornithological significance, being of international importance both for the total numbers of wintering birds and also for its populations of Black-tailed Godwit and Redshank. In addition, it supports nationally important wintering populations of 22 species, as well as a nationally important breeding colony of Common Tern. Several of the species which occur regularly are listed on Annex I of the E.U. Birds Directive, i.e. Whooper Swan, Little Egret, Golden Plover, Bar-tailed Godwit, Ruff, Mediterranean Gull and Common Tern. The site provides both feeding and roosting sites for the various bird species that use it. Cork Harbour is also a Ramsar Convention site and part of Cork Harbour SPA is a Wildfowl Sanctuary.

The Great Island Channel SAC is of major importance for the Annex I habitats of Mudflats and sandflats not covered by seawater at low tide and Atlantic salt meadows (*Glauco-Puccinellietalia maritima*).

Ballycotton Bay supports an excellent diversity of wintering waterbirds and has nationally important populations of eleven species, of which two, Golden Plover and Bar-tailed Godwit, are listed on Annex I of the E.U. Birds Directive. Ballycotton Bay is also a Ramsar Convention site and part of the Ballycotton Bay SPA is a Wildfowl Sanctuary.

Ballymacoda Bay SPA is one of the most important sites in the country for wintering waterfowl. It qualifies for international importance on the basis of regularly exceeding 20,000 wintering birds but also for its Golden Plover and Black-tailed Godwit populations. In addition, it supports nationally important populations of a further fourteen species. Two of the species which occur, Golden Plover and Bar-tailed Godwit, are listed on Annex I of the E.U. Birds Directive. Ballymacoda Bay is also a Ramsar Convention site.

The Helvick Head to Ballyquin SPA is an important site for Chough and Peregrine, both species that are listed on Annex I of the E.U. Birds Directive. It also supports a range of breeding seabirds, including populations of Cormorant, Herring Gull and Kittiwake of national importance.

Helvick Head SAC of major importance for the Annex 1 habitats of European dry heath and Vegetated sea cliffs of the Atlantic and Baltic coasts..





## Assessment Process

The Minister for Housing, Local Government and Heritage, is responsible for carrying out environmental screening and any environmental assessments determined as being required following screening, in accordance with the requirements set out in Directive 92/43/EEC (**Habitats Directive**) and Directive 2009/147/EC (**Birds Directive**), in respect of applications under the The Foreshore Act 1933, as amended.

## Habitats Directive

The Appropriate Assessment process (AA) is an assessment of the potential for adverse or negative effects of a plan or project, in combination with other plans or projects, on the conservation objectives of a European Site (Natura 2000 site). The focus of AA is targeted specifically on Natura 2000 sites and their conservation objectives.

Article 6(3) and 6(4) of the **Habitats Directive** place strict legal obligations on Member States to regulate the conditions under which development that has the potential to impact on European Sites can be proceed. It requires that an Appropriate Assessment be carried out of plans or projects, not directly connected with or necessary to the management of a site as a European Site, but which are likely to have a significant effect thereon, either individually or in combination with other plans or projects. An AA Screening assessment is carried out to determine whether a plan or project is likely to have a significant effect on a European Site.

- Article 6.3 states that: *“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.”*
- Article 6.4 states: *“if, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.*

*Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.”*

In giving effect to the above as a matter of Irish law, the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. 477 of 2011, as amended) (**Birds and Natural Habitats Regulations**) provide as follows:-



Regulation 42(1) of the Birds and Natural Habitats Regulations states that: *“A screening for Appropriate Assessment of a plan or project for which an application for consent is received, or which a public authority wishes to undertake or adopt, and which is not directly connected with or necessary to the management of the site as a European Site, shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on the European site”.*

Regulation 42(2) provides that: *“A public authority shall carry out screening for Appropriate Assessment under paragraph (1) before consenting for a plan or project is given, or a decision to undertake or adopt a plan or project is taken”.*

The Birds and Natural Habitats Regulations further provide as follows at Regulation 42 (6) and 42 (7):-

*(6) The public authority shall determine that an Appropriate Assessment of a plan or project is required where the plan or project is not directly connected with or necessary to the management of the site as a European Site and if it cannot be excluded, on the basis of objective scientific information following screening under this Regulation, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site.*

*(7) The public authority shall determine that an Appropriate Assessment of a plan or project is not required where the plan or project is not directly connected with or necessary to the management of the site as a European Site and if it can be excluded on the basis of objective scientific information following screening under this Regulation, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site.*

Furthermore, under section 42A (13) of S.I. No. 293 of 2021 an Appropriate Assessment, including the specified public consultation, must be carried out before the public authority makes a decision to undertake or adopt the proposed plan or project.

### **Risk Assessment for Annex IV Species**

Article 12 of the Habitats Directive (92/43/EEC) affords strict protection to species listed in Annex IV of the Directive wherever they occur. Outside of designated Natura 2000 sites, the waters around Ireland’s coast are a suitable habitat for a number of Annex IV species. Where necessary a Risk Assessment for adverse effects of the proposed works on these species must be undertaken and a report produced.

The purpose of the Risk Assessment is to examine the possibility that the proposed project either individually or in combination with other plans and projects, may result in the deliberate disturbance or destruction of any of the species listed in Annex IV which may be present in the works area. The Risk Assessment should take into account the status (e.g. as indicated in the latest Article 17 reporting for Ireland, NPWS 2019) and sensitivities of relevant Annex IV species to potential impacts associated with the proposed project.

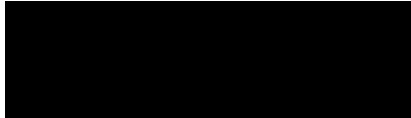
The Risk Assessment for Annex IV Species should be precise, with definite findings, mitigation and conclusions removing all reasonable scientific doubt as to the effects of the



proposed project on any Annex IV species. This assessment is separate to that undertaken under Article 6.3.

### **Conclusion/Recommendation**

In principle I have no objections to this application. On completion of the consultation process, I will furnish my final report with determinations. These may include case specific conditions having regard to the information obtained from the consultation phase.



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 MSc

Marine Advisor Environment.