

FS007588 Public Consultation

May 2023

Wicklow Sea Wind Ltd.

Contents

<u>Submission Number</u>	<u>Page Number</u>
Submission 1	1
Submission 2	4

Consolidated Objections to the 4 wind farm survey projects, set out below 2 of which are linked together FS007163 & FS007588 (cable route for FS007163).

(1) FS007151 Sunrise Wind

<https://www.gov.ie/en/foreshore-notice/a102b-fs007151-sunrise-wind-ltd-site-investigations-for-the-proposed-sunrise-offshore-wind-farm-off-counties-dublin-and-wicklow/>

(2) FS007283 Banba Wind

<https://www.gov.ie/en/foreshore-notice/8e2a2-fs007283-banba-wind-ltd-site-investigations-for-proposed-offshore-wind-farm-off-counties-wicklow-and-dublin/>

(3) FS007163 Wicklow Sea Wind

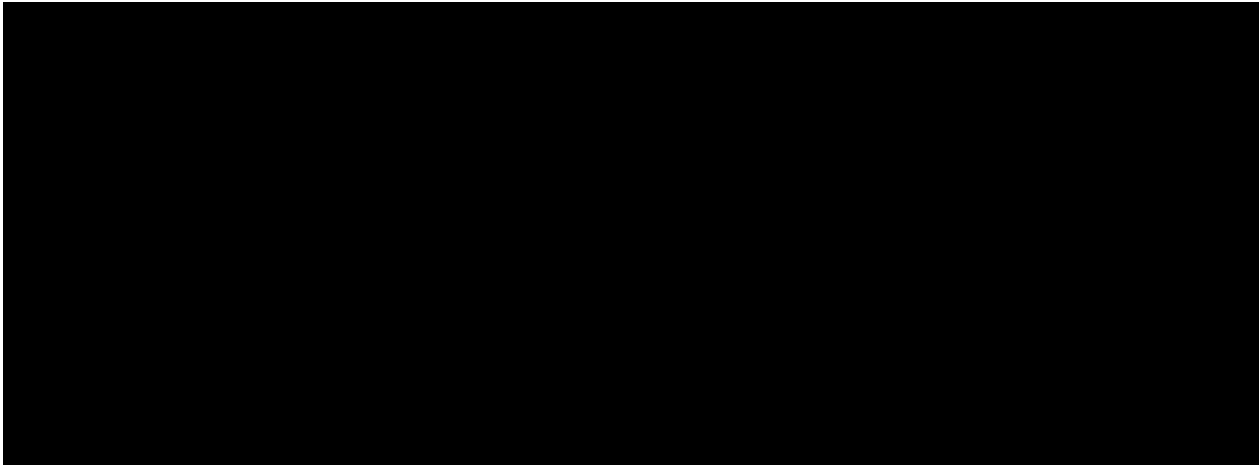
<https://www.gov.ie/en/foreshore-notice/a5066-fs007163-wicklow-sea-wind-ltd-site-investigations-for-the-proposed-wicklow-project-offshore-wind-farm-off-county-wicklow/>

(4) FS007588 Wicklow Sea Wind

<https://www.gov.ie/en/foreshore-notice/1ec5c-fs007588-site-investigations-by-wicklow-sea-wind-ltd-for-cable-route-off-county-wicklow/>

Dear Sirs,

We are instructed to refer to our previous attached objection to RWE and Codling Foreshore Survey licence application of 3 June 2022 and to register with you Objection to the four above mentioned Site Investigations for proposed Offshore Wind Farm, off Counties Wicklow and Dublin on behalf of East Coast Fishers including the following:



The Objection is the failure to properly take into account the cumulative effect of all the Irish Sea East Coast Windfarms and site investigation surveys on the Whelk, Lobster, Scallop and Crab fisheries and secondly the EU Parliament 1.6.2021 reference A9-0184/2021 REPORT and Resolution on the impact on the fishing sector of offshore wind farms and other renewable energy systems. Please also See the EU Commission analysis of 3/5/22

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52022DC0185&qid=1660062565915> where it notes "Article 6(2) (c) of the MSP Directive requires Member States "to aim to promote coherence between maritime spatial planning and the resulting plan or plans and other processes, such as integrated coastal management or equivalent formal or informal practices". Also see https://www.europarl.europa.eu/doceo/document/A-9-2021-0184_EN.html AND <https://theskipper.ie/eu-parliament-raises-alarm-on-interaction-of-fishing-and-offshore-windfarms/>

Parliament further stresses the 'need for early spatial planning which includes all relevant stakeholders, with regard to both the placement and the lay-out of OFWs [offshore wind farms] and calls for 'effective participation, dialogues and networks to be set up at an early stage, in order to reduce and avoid conflicts. See https://www.europarl.europa.eu/doceo/document/E-9-2022-001227_EN.html .

For clarification, our clients concern and objection to all Windfarm applications is that the cumulative effect of the all the windfarms will end the whelk, lobster and crab industry off the East Coast through reduced suitable fisheries, replacement by Windfarms, particularly on the sand banks,, disruption and restriction (500 metres or otherwise in all directions) during survey, construction and operation, and enforced additional competition among fishers, reduced commercial viability for processors and fishers and consequential overfishing and depletion of stocks to extinction due to displacement .Our clients repeat that it will be necessary for them to seek compensation, through litigation or such other alternative compensation mechanisms the State deem fit, from the State and complain to EU Commission, based upon their report of 2/5/22 because of Irelands failure as a member state to properly implement the 2014 Maritime Spatial Areas Directive to take into consideration the cumulative effect of all the windfarms right up the Irish Sea and looking at the interactive map the Windfarms ran continuously from North Dublin to South Wexford.

These site investigation surveys have a material effect of the fishing, stocks particularly Whelk, Crab and Lobster. The Habitat Directive and other EU Environmental Protection law and guidelines requires that proper environmental impact studies are carried out before a Member State can properly consider and grant foreshore site investigation survey licences.

There is talk of co-existence by the Wind Farm Projects with the fishers. But the simple truth and experience of the fishers is that the Wind Farm projects see the fishers as a mere nuisance. It is acknowledged by the Fishers that Wind Farms are an essential source of energy and that both the fishers and the Wind Farms derive their rights in the Irish Sea pursuant to their licences granted by the State. The fishers right to continue to hold and fish under such licences is a Constitutionally Protected Property Right. Constitutionally protected Property Rights may not be removed or significantly restricted by the State without a scheme of compensation for the loss of such rights.

It appears that the State will grant Wind Farm Survey foreshore licences, followed by multiple MACS, resulting in 1100 to 1500 Turbines up the East Coast, in a manner which will displace licenced fishers and deny such fishers their continued right to a livelihood. The EU legislation, directives and reports flag clearly that each Member State should take into account and balance the interest of each of its regional fisheries and where there is displacement, which it is contented will occur here, that there be put in place a scheme of compensation. The State is empowered to make provision and impose levy or contribution on each Wind Farm Project

at each stage of survey, construction and operation of Wind Farms. It is respectfully submitted that it is and will be unwise of the State to grant any further survey licences without levying the Wind Farms sufficiently to finance the compensation necessary for the fishers. If no such levy is put in place the State will have to burden the tax payer for its failure for take into account the cumulative effect and displacement of this fisher industry by the Wind Farm Industry.

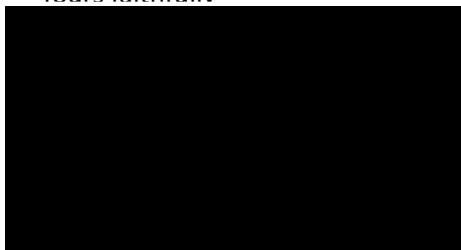
Offer of compensation by Windfarms to date have been limited to where fishing gear is directly in the path of survey. This demonstrates that the applicant sees the fishers as a mere nuisance and does not take into account the sonic damage and displacement of fishing stocks caused by earlier wind farm site investigation surveys , the lasting effect of this on fish stocks and the cumulative effect of the all the windfarms which will end the whelk, lobster and crab industry off the East Coast through reduced suitable fisheries, replacement by Windfarms, disruption and restriction (500 metres or otherwise in all directions) during survey, construction and operation, and enforced additional competition among fishers, reduced commercial viability for processors and fishers and consequential overfishing and depletion of stocks to extinction due to displacement.

It is objectionable that the Irish Sea East Coast windfarm site investigation surveys licenced by this Department conducted no baseline fish surveys before its previous 2021 and 2022 surveys even though requested by fishers and their representatives . Fishers know first hand that stocks were depleted by these earlier surveys and that stock are only starting to recover many months after such surveys. The request for fish survey should be considered independently of the request for a further fish stock damaging sonic survey.

In order to address this concern and objection please furnish a map of the East Coast of Ireland showing all windfarms applications for surveys and other licences and the cumulative area of fishing grounds likely to be taken up by all the wind farms and secondly the consideration given to the cumulative effect of all windfarms on the whelk , scallop, lobster and crab industry off the East Coast through reduced suitable fisheries, replacement by Windfarms, disruption during survey, construction and operation, and forced additional competition among fishers, reduced commercial viability for processors and fishers and consequential overfishing and depletion of stocks to extinction due to displacement and thirdly any mitigation measures proposed and fourthly proposals to compensate such fishers for this likely destruction of their livelihoods.

We look forward to hearing from you,

Yours faithfully



DOWN MUSSELS LTD

**Foreshore Unit,
Department of Housing, Local Government and Heritage
Newton Road, Wexford, Co. Wexford**



Re: Foreshore license application FS007588 Site Investigations by Wicklow Sea Wind Ltd for Cable Route off County Wicklow

Dear Sir, Madam,

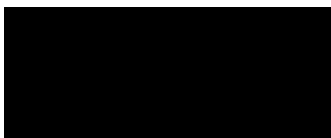
Having read the license application by Wicklow Sea Wind for a cable route to their wind farm, I am making this submission. I ask that you consider the location of historical seed mussel beds off the coast of county Wicklow when reviewing the application. Areas suitable for the development of mussels beds, as evidenced by historical data, should be excluded from the survey.

Down Mussels Ltd. is a aquaculture company that grows blue mussels in Belfast Lough and Carlingford Lough. The 'raw material' for this mussel culture is seed mussel. These small mussels are fished in the Irish Sea and subsequently relayed onto culture plots on the seabed. There the seed mussels grow to a marketable size until they are harvested and sold.

Being able to fish seed mussels is of vital importance to our company and the bottom grown mussel industry. Historically seed mussel has often been fished off Wicklow Head. In fact, seed mussel beds have developed every year for the last 20 years. The vast majority of these mussel beds developed in the areas indicated as Area A and Area B in the application. Please see the appendix for a map of historical mussel beds in the Wicklow area provided by BIM.

The company is entirely reliant on the fishing of seed mussel in the Irish Sea. The area off Wicklow county is a reliable area for the development of mussel beds and therefore vital for the company's future. The proposed survey areas include almost all historical mussel beds. A cable or cables running through the mussel beds would severely limit our ability to fish. I, therefore, submit that the survey areas are adjusted to exclude historical mussel beds.

Sincerely,



Appendix: Overlap of the proposed Wicklow Sea Wind Ltd. survey areas and historical seed mussel beds

