

Prescribed Body Submissions Response

Response document to submissions from prescribed bodies received for the Kinsale Foreshore License Application FS007354

Kinsale Offshore Wind Limited, on behalf of Inis Offshore Wind (IOW) Limited has applied for a foreshore licence to undertake site investigations (SI) in the marine area to inform the feasibility assessments and design for the Kinsale Offshore Wind project off the coast of County Cork. These SI works include Geophysical (acoustic) surveys, Metocean Surveys, Benthic surveys, Archaeological assessments, and geotechnical surveys.

There has since been a significant shift by the Government on the proposed deployment of offshore wind farms, with the acceleration to a 'plan-led' approach. The progression of this license application will be subject to the finalization of policy for future phases of offshore wind development.

As part of the foreshore licencing process, statutory and public consultation was undertaken for a period of 30 days between the 2nd May 2023 and 31st May 2023 and 11 responses were received from the following organisations:

- Submission 1: Irish Lights
- Submission 2: Marine Survey Office
- Submission 3: Inland Fisheries Ireland
- Submission 4: DHLGH Marine Advisor (Environment)
- Submission 5: Cork County Council
- Submission 6: DAFM (Inshore Sea-Fisheries)
- Submission 7: DAFM (Felling Division)
- Submission 8: National Parks and Wildlife Service and Underwater Archaeology Unit (UAU)
- Submission 9: DHLGH Marine Advisor (Engineer)
- Submission 10: Marine Institute
- Submission 11: Sea Fisheries Protection Authority

Responses to Submissions Received:

Submission 1:

Submission from Irish Lights	IOW Response
<ul style="list-style-type: none"> • Consent from Irish Lights will be required via the Local Lighthouse Authority for Aids to navigation, if required • Mariners to exercise care in order to avoid damage to Aids to Navigation • Careful planning required to avoid obstruction of the Port approaches and operation of lifeboat services – consultation with local Port authority advised • DGPS provided by Irish Lights has been discontinued <p>Marine notice should be issued detailing the works and duration</p>	<p>Noted. Relevant advice and mitigation will be taken into consideration prior to/at the time of the surveys.</p>

Submission 2:

Submission from Marine Survey Office	IOW Response
<ul style="list-style-type: none"> • No objection to referenced application from a navigational safety perspective • Marine notice should be issued detailing the works and duration • Promulgation and frequency of Navtex and radio broadcast warnings to be agreed in advance with the Irish Coast Guard • Lighting and marking of moored instructions to be carried out in consultation with Marine Survey Office 	<p>Noted. Relevant advice and mitigation will be taken into consideration prior to/at the time of the surveys.</p>

<p>and Commissioners of Irish Lights & compliant with International Association of Aids to Navigation (IALA) requirements</p> <ul style="list-style-type: none"> • Appropriate measures to ensure safety of navigation is maintained • Engage with Ports of Cork and Kinsale on planned operations • Vessels must conform to Irish Certification standards and manned by qualified personnel • Applicant to provide bathymetric data to UKHO of completion of operations 	
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Submission 3:

Submission from Inland Fisheries Ireland	IOW Response
<ul style="list-style-type: none"> • The NIS does not mention diadromous fish despite the Blackwater River SAC, Lower River Suir SAC, River Barrow and River Nore SAC containing diadromous species which can be affected by noise • Twaite shad should be screened in Munster Blackwater SAC, Lower Suir SAC and River Barrow and River Nore SAC with mitigation (<i>mitigations outlined in original response letter</i>) • The impact to recreational angling and their habitats should be taken into account • A Project Environmental Management Plan will be developed and adherence to this should be a condition of the foreshore licence 	<p>Impacts from noise on the designated features of the Blackwater River SAC (including salmon) are addressed in the Supporting Information for Screening for Appropriate Assessment (SISAA), however it was considered that there is no likely significant effect predicted and so this SAC was not considered within the Natura Impact Statement (NIS). The Blackwater SAC is 20km from the proposed survey and is the closest of the SACs mentioned by Inland Fisheries Ireland, hence it was considered that this is the most relevant site to consider.</p> <p>Sound sources from the survey will not consist of significant rapid pressure changes and will be short-term.</p>

The local IFI office to be informed 5 days before the start of surveys

As noted in Section 8.3 of the SISAA, Nedwell *et al.* (2012) estimated that seismic surveys could cause potential impacts to Atlantic Herring (a noise sensitive species) at a distance of up to 4km. Atlantic Herring is more sensitive to sound than salmon and is thought to be comparable with twaite shad, as for both species hearing involves the swim bladder and both are from the order of Clupeiformes (Nedwell *et al.*, 2008; Popper & Hawkins, 2019). Given the distance of the Blackwater SAC (and therefore the Lower Suir SAC (74km) and River Barrow and River Nore SAC (84km)) impacts to salmon and twaite shad are not anticipated.

Good practice measures outlined in the Schedule of Works, including 'ramp up' procedures will ensure that any fish such as salmon or twaite shad in the survey area will flee before surveys commence.

In terms of impacts to recreational angling and their habitats, although there will be a small disturbance to the seabed (which may cause increases in suspended sediment and turbidity in the water column), this will be localised, short term and temporary with turbidity levels expected to return to background levels quickly. No significant impacts to water quality are expected. A Notice to Mariners will be issued for the duration of each survey, however, as noted above, surveys will be short term and

	<p>take place within a large survey area - therefore no significant impacts to recreational angling is anticipated.</p> <p>A Project Environmental Management Plan (PEMP) will be developed prior to any survey being undertaken.</p>
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Submission 4:

Submission from DHLGH Marine Advisor (Environment)	IOW Response
<ul style="list-style-type: none"> No objections to application in principle – will furnish final report with determinations on completion of consultation process 	Noted.

Submission 5:

Submission from Cork County Council	IOW Response
<ul style="list-style-type: none"> Concurs with screening conclusion that no likely significant effects to the special conservation interests of the Cork Harbour SPA anticipated Screening in of Blackwater River (Cork/Waterford) SAC and other SACs considered appropriate Notes that due to screening for AA report submitted by DHLGH, likely significant noise related impacts on migratory species including twaite shad cannot be excluded and so a revised NIS is required 	<p>The Screening for Appropriate Assessment (AA) for Kinsale Offshore Windfarm Export Cable Corridor (DHLGH, 2023) outlined the following:</p> <ul style="list-style-type: none"> Table 3.1 screens in sea & river lampreys, twaite shad, salmon and freshwater pearl mussel for further assessment (disturbance from underwater noise) for several SACs Section 3.4.2 states that <i>“The possibility of likely significant effects (LSE) as a result of the proposed project on migratory fish species can be excluded”</i> this would seem to refer to both underwater noise and suspended sediments or physical disturbance Section 3.4.2 goes on to conclude in relation to geophysical and vibrocore activity on marine mammals only that <i>“the possibility of LSE as a result of the proposed project on marine mammals within</i>

the Zone of Influence of the proposed project cannot be excluded.”

Section 4.1 includes Blackwater River, River Barrow & River Nore, Lower River Suir – in the list of sites screened in for further assessment but does not clarify the basis for which these are screened in

It is therefore not clear if LSE from underwater noise on migratory fish was included or excluded by the DHLGH. We have raised this point with the DHLGH and can revise the SISAA and NIS if required. However, the following provides the rationale for the assessment we have undertaken.

Impacts from underwater noise on the designated features of only the Blackwater River SAC (including salmon) were addressed in the Supporting Information for Screening for Appropriate Assessment (SISAA) report for Kinsale Offshore Export Cable Corridor. The Blackwater SAC was considered the most relevant site to consider as it is the closest SAC designated for migratory fish (20km from the proposed survey). However, given that the assessment concluded no LSE from underwater noise to the migratory fish species of the Blackwater River SAC, no further SACs were considered (River Barrow & River Nore, Lower River Suir) in the SISAA or within the Natura Impact Statement (NIS).

	<p>The justification for why underwater noise would not result in LSE was that sound sources from the survey will not consist of significant rapid pressure changes and will be short-term. As noted in Section 8.3 of the SISAA, Nedwell <i>et al.</i> (2012) estimated that seismic surveys could cause potential impacts to Atlantic Herring (a noise sensitive species) at a distance of up to 4km. Atlantic Herring is more sensitive to sound than salmon and is thought to be comparable with twaite shad, as for both species hearing involves the swim bladder and both are from the order of Clupeiformes (Nedwell <i>et al.</i>, 2008; Popper & Hawkins, 2019). Given the distance of the Blackwater SAC (and therefore the Lower Suir SAC (74km) and River Barrow and River Nore SAC (84km)), impacts to salmon and twaite shad are not anticipated.</p> <p>Good practice measures outlined in the Schedule of Works, including 'ramp up' procedures, will ensure that any fish such as salmon or twaite shad in the survey area will flee before surveys commence.</p>
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Submission 6:

Submission from DAFM (Inshore Sea-Fisheries)	IOW Response
<ul style="list-style-type: none"> Lack of VMS data regarding fishing in or near application area should not be considered 	<p>A Fisheries Liaison Officer (FLO) is engaged in the project and will work with the industry to fully understand the</p>

<p>representative of activities of the inshore segment of the fishing fleet</p> <ul style="list-style-type: none"> • DAFM welcomes that a FLO has been appointed – urges timely consultation and active engagement with inshore fishers representatives which should follow the good practice Engagement Standards in the document <i>Summary Guide on Seafood / ORE Engagement in Ireland</i> • Strongly recommends consultation with organisations listed in point 6 (of original response) as well as the Marine Institute. • Recognition of sea-fisheries sector is recognised and given high priority as long-standing, pre-existing and traditional activity in the marine environment. • Potential impacts of projects on commercial sea-fishing and aquaculture activities need to be considered and evaluated at each stage of the consent process. 	<p>fishing activity within the survey area, including the inshore segment, and the measures required during the survey works.</p>
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Submission 7:

Submission from DAFM (Felling Division)	IOW Response
<ul style="list-style-type: none"> • Developer must obtain a Felling Licence before trees are felled or removed 	The felling of trees is not anticipated at any stage of the offshore investigation works.

Submission 8:

Submission from National Parks and Wildlife Service and Underwater Archaeology Unit (UAU)	IOW Response
<ul style="list-style-type: none"> • It is recommended that the application of “Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters” should be implemented in full as a condition of consent. • Previously unrecorded wreck sites may await discovery in the application area – as such the principle “there should always be a presumption in favour of avoiding developmental impacts on the archaeological heritage” should be a core principle and enshrined within the design process • A desk study UAIA shall be forwarded by the licensee to NMS • The proposed geophysical surveys shall be carried out in advance of any geotechnical works. Underwater cultural heritage should be avoided via underwater archaeological exclusion zones. • We concur, broadly, with the proposed mitigation embedded within the investigations and recommend several conditions be included in any Foreshore Licence that may issue (<i>listed in original response</i>) 	<p>Noted.</p>

Submission 9:

Submission from DHLGH Marine Advisor (Engineer)	IOW Response
<ul style="list-style-type: none"> • The proposed site investigation works will have no impact on existing coastal processes • Proposed site investigation works will not conflict with any existing consented activities, developments or any applications under conditions • The proposed works are in the public interest • Unable to complete Marine Advisor's Engineering Report to make a recommendation on approval of this application until ORE Designated Marine Area Plans (DMAPS) have statutory effect. 	<p>Noted.</p>

Submission 10

Submission from The Marine Institute	IOW Response
<ul style="list-style-type: none"> • The outputs of any surveys can be used by the DHLGH to generate baseline information in order to inform future monitoring • Agrees, given the distance, it is unlikely the proposed activities will impact on shellfish culture operations • The outputs of the Seafood / Offshore Renewable Energy Working Group should be considered • The MI is satisfied that use of Marine Mammal Observers and soft start protocol will mitigate any risk to marine mammals during the site investigations. • It is advised that DHLGH identify any similar geophysical surveys that may be carried along the east coast be identified and that they do not coincide with this survey. • Recommend that the scale of investigation to determine baselines and assess impact of offshore renewable be considered more broadly than that of individual turbines (or licenced areas). • Satisfied that the site investigations will not likely have a significant impact on the marine environment in the survey area. 	<p>All comments noted.</p> <p>With regard to extending baseline data collection beyond the actual footprint of infrastructure, two points should be noted. 1) the Foreshore Licence area represents an area of search not a defined route/footprint therefore the survey will be broader than the immediate area that would be affected by potential infrastructure 2) the EIA and other assessments will use a wide range of data for the assessment with site-specific data providing high resolution information for the locations which would be directly affected, and publicly available information used to provide the broader picture. This is an appropriate and proportionate approach.</p>

Submission 11

Submission from Sea Fisheries Protection Authority	IOW Response
<ul style="list-style-type: none"> • Marine Engineering Division of DAFM has no objections • It is believed that such survey activities will negatively impact existing fisheries as the geophysical and geotechnical surveys will disrupt existing crustacean fisheries and demersal fisheries through benthic disturbances for the duration of the survey works. 	<p>Direct impacts on the benthic environment from disturbance are limited to the benthic grab samples and CPT and vibrocore sample locations, therefore the spatial scale of direct disturbance is relatively small in the context of the wider offshore area where similar habitats are present.</p> <p>Indirect effects from suspended sediment increase and re-deposition are also spatially limited. Therefore, no significant impacts are expected in relation to benthic ecology due to physical disturbance and removal, increased suspended sediment and re-deposition caused by the proposed surveys. The proposed surveys are short term and temporary meaning any indirect impacts will not occur over a long period of time and will cease once the surveys have stopped.</p>

