



INTERNATIONAL

RESPONSES TO ARCH, NATURE, WMA, MI
MSO, IFIC(I), DAFM.
+ SFPA, LOUTH Co Co.

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Underwater Archaeology & Nature Conservation

Hibernian Windpower Ltd welcome the comments from the Underwater Archaeology and Nature Conservation.

Underwater Archaeology

We confirm that the assessments to be undertaken for the proposed survey work will comply with the conditions outlined below:

1. The geophysical surveys will be carried out in advance of any geotechnical works. The geophysical data for all proposed geotechnical investigation locations (including the taking of vibrocores and grab samples) will be assessed by a suitably 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.
2. We note the request for a report summarising the assessment of the geophysical data to be forwarded to your office for review prior to the geotechnical works taking place. We intend to undertake the geophysical and geotechnical surveys during the same survey campaign. As highlighted above the geophysical surveys will be carried out in advance of the geotechnical works. The interpretation of all geophysical data will be undertaken by an archae-geophysicist / archaeologist with due experience in the interpretation of such survey results. We will not have a report prepared on the assessment of the geophysical data during the survey campaign and forwarded to your office for review prior to the geotechnical works taking place however we will ensure that the archae-geophysicist / archaeologist will review the geophysical data in advance of the geotechnical works. Where archaeological material/features are shown to be present, preservation in situ, avoidance, preservation by record (archaeological excavation) or archaeological monitoring will be undertaken as advised by the archae-geophysicist / archaeologist. Hibernian Windpower Ltd is prepared to be advised by the Department regarding archaeological monitoring/mitigation.
3. The proposed geophysical and archaeological dive survey will be licenced under the National Monuments Acts 1930-2014. Dive surveys if undertaken will be accompanied by a hand-held metal detection survey which will be licenced under the National Monuments Acts 1930-2014.
4. The results of the geotechnical investigations will be assessed by a suitably qualified archaeologist and this assessment will form part of the overall archaeological assessment of any proposed windfarm development.

Nature Conservation

We note that there are no objections in terms of Nature Conservation subject to adhering to the following guidance document which we will adhere to:

NPWS Guidance document "*Guidance to Manage the risk to Marine Mammals from Man-made Sound sources in Irish Waters*" whilst executing works.



Water Service Advisor

Hibernian Windpower Ltd welcome the comments from the Water Service Advisor and we note that there are no objections to granting the foreshore licence subject to the following conditions which shall be met:

1. We will notify this Department of the date of commencement of the Site Investigation/ survey operations at least 2 weeks prior to commencement.
2. During the course of the Site Investigation/survey operations Hibernian Windpower Ltd will ensure that,
 - (a) All necessary precautions are put in place to protect the public in accordance with relevant Health and Safety Legislation;
 - (b) Existing public access arrangements to the general foreshore area will not be impeded by any vessels, plant or materials used in connection with the Site Investigations/surveys, and where relevant this access will be made safe and guaranteed by the provision of appropriate signage/notices/barriers etc. to the satisfaction of the Department of Housing Planning and Local Government;
 - (c) Procedures will be adopted to ensure that the Site Investigations/survey operations are not injurious to fishing, navigation, adjacent lands or the public interests.
3. All vessels/floating plant will have appropriate certification from the Marine Survey Office.
4. On completion of the Site Investigation works/surveys Hibernian Windpower Ltd will ensure that all equipment and materials are removed and the foreshore is reinstated to its original condition, to the satisfaction of the Department of Housing Planning, and Local Government.
5. Marine notice, lighting and markings will be carried out in consultation with the Maritime Safety Directorate, Department of Transport, Leeson Lane, Dublin 2.
6. All relevant Site Investigations and marine surveys will comply with the NPWS (2014) "Guidance to Manage the risk Marine Mammals from Man-made Sound sources in Irish Waters" including the employment of a Marine Mammal Observer as appropriate.
7. Only those Site Investigation Works and Marine Surveys, the subject of this foreshore licence application and in particular as outlined in Sections 1.3 and 1.4 of the "Investigative Foreshore Licence Application " document dated 11/1/2018, will be undertaken.

Hibernian Windpower Ltd also return the following:

- Hibernian Windpower Ltd note the point that overall fishing activities will not be adversely affected by the surveys. Hibernian Windpower Ltd will consult with the SFPA to ensure commercial fishermen are informed of survey works and will employ a Fisheries Liaison Officer for this purpose.
- It is the intention to commence survey works in Q2/Q3 2018.
- In advance of commencing the marine surveys the contractor will publish local Marine Notices in compliance with the CIL and MSO. The contractor will also provide a description of the SI works, locations and dates for commencement and completion.
- Approaching vessels are requested to keep a safe distance from SI Works/Survey Vessels in accordance with maritime regulations. All vessels involved in marine surveys will have



appropriate navigational lighting and be equipped with navigational aids and competent crew maintaining a constant watch on other vessels.

- The impact from the marine site investigations and marine surveys should have a negligible and insignificant impact on any Natura 2000 site.
- There should be minimal impact on the foreshore and marine environment as a result of these proposed site investigations and marine surveys.

Marine Institute

We welcome the response from the Marine Institute (MI) and note that MI has no objection to the licence being granted as they are satisfied that the proposed activity will not have a significant impact on the marine environment in the survey area and will not have a significant impact on other legitimate uses / users of the area.

Hibernian Windpower Ltd confirms that the following conditions which were noted in their response will be complied with:

1. The Licensee will 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 Licensee will ensure that the works are carried out and completed in accordance with the plans and particulars lodged with the application.
3. The Licensee will appoint a Fisheries Liaison Officer who will consult with the SFPA and relevant fishermen's groups in order that appropriate actions can be taken to avoid or minimise interactions with ongoing fishing activity in the area during the course of the site investigations.

Marine Survey Office

We welcome the Marine Survey Office's (MSO) comments in which they note that the supplied documentation adequately addresses any concerns this department may have subject to the following conditions which will be met:

1. Hibernian Windpower Ltd will arrange with the MSO the publication of a Marine Notice. This marine notice will give a general description of operations, including locations and approximate dates of commencement and completion of works. In addition a notice to this effect will be published in a National newspaper.
2. Full consultation with the Irish Coast Guard will occur in regards to this matter.
3. The views of the Divisional Engineer will be sought.
4. All vessels employed in the project will comply fully with Certification and manning requirements.



Inland Fisheries Ireland

Hibernian Windpower Ltd welcome the comments of Inland Fisheries Ireland and return the following:

- A Screening for AA report will be prepared for the project at a future date given the proximity of the overall area to a series of Natura 2000 sites.
- Hibernian Windpower Ltd note the point that there is potential for impacts to fish species and will agree mitigation measures with the Foreshore Division, Department of Housing, Planning, Community and Local Government. Hibernian Windpower Ltd will also ensure that all relevant Site Investigations and Marine Surveys comply with the NPWS (2014) "Guidance to Manage the risk Marine Mammals from Man-made Sound sources in Irish Waters" including the employment of a Marine Mammal Observer as appropriate.
- Hibernian Windpower Ltd note the observation that the proposed geotechnical works may be very disruptive to benthic ecology, including fish species, and to inshore commercial fishing for the duration of the coring activity.
- Hibernian Windpower Ltd note the recommendation that the timing of the proposed works should be staggered to act as a mitigation measure. In practice, this arrangement would require the deployment of multiple survey campaigns. It is the view of Hibernian Windpower Ltd that in considering economic and time regards, this would not be feasible. However, Hibernian Windpower Ltd notes the importance of underwater/benthic ecology and is committed to having no undue adverse impact on the area of investigation. Hibernian Windpower Ltd commit to completing any works to the highest ecological standard. This value is enforced by our in-house ecology team and in our instruction to parties completing works.
- It is also of note that the actual process of taking a core sample is physically intrusive over a very small area, circa 150mm diameter. The test rig is also appropriately sized to complete such works. The vessel deploying the rig does not require any vessel exclusion limit beyond those of normal safe sailing.

Aquaculture & Foreshore Management, Department of Agriculture, Food and the Marine

We welcome the comments of Aquaculture & Foreshore Management, Department of Agriculture, Food and the Marine and return the following:

- A Marine Notice will be obtained for the proposed long-term monitoring buoy. The buoy will comply with CIL standard navigational and safety requirements with regard to day marking and lighting.
- Hibernian Windpower Ltd notes that the proposed study zone includes the Clogher Head fishing harbour which is under the direct control of Louth County Council and will contact the local authority in this regard.
- The proposed site investigation works are not likely to cause any food safety issue to the seafood caught within or adjacent to the applied foreshore area.
- Prior to the commencement of the works, a Fisheries Liaison Officer will be appointed to co-ordinate with interested fishing groups who operate in the area.
- Hibernian Windpower Ltd will provide details of the FLO once known to the SFPA Howth Office.
- Hibernian Windpower Ltd note the information supplied in relation to the classified shellfish productions areas within the proposed foreshore licence application area. Hibernian

Windpower Ltd appreciates this information and will consider it for the duration of their licence.

Sea Fishery Protection Agency (SFPA)

Hibernian Windpower Ltd welcome the comments of the Sea Fishery Protection Agency (SFPA) and note that they see no grounds for objection to awarding the foreshore licence subject to good communication with the interested parties as listed and the Hibernian Windpower Ltd prior to and during the site investigation works, to which Hibernian Windpower Ltd will comply with.

Interested Parties:

- Irish South & East Fisherman's Producer Organisation, (Hugo Boyle and John Lynch).
- Irish Fisherman's Producer Organisation, (Francis O'Donnell).
- North East Razor Clam Fisherman's Association, (Charles Heasman).

Hibernian Windpower Ltd also return the following:

- Additional information regarding ecology surveys was submitted with the foreshore licence application. General information regarding inshore fish surveys is provided in this document. Once an ecological consultant is engaged to undertake the works more detailed methodologies can be discussed with the SFPA for comments and advice.
- A Fisheries Liaison Officer will be appointed to co-ordinate with interested fishing groups who operate in the area. Contact details of the FLO once known will be provided to the SFPA Howth Office.
- Hibernian Windpower Ltd note the information supplied in relation to the classified shellfish productions areas within the proposed foreshore licence application area. Hibernian Windpower Ltd appreciates this information and will consider it for the duration of their licence.



Louth County Council

Hibernian Windpower Ltd welcome the response from Mr. Declan Conlon, A/Senior Executive Planner and Mr. Brendan McSherry, Heritage Officer, Louth County Council and return the following:

Mr Declan Conlon, A/Senior Executive Planner

- We note that the lands immediately adjoining the coast at Clogher Head are designated as Development Zone 3 under the Louth County Council Development Plan 2015 – 2021. The purpose of this development zone is 'To protect the recreational and amenity value of the coast'.
- We note the information provided regarding the considerable intrinsic, special amenity and recreational value of the area and that the coastline is home to a variety of natural habitats and many species of flora and fauna. The presence of statutory designations on the coastline is also noted.
- We note the presence of Policy RD 35 and 36 in relation to development of lands abutting the coast.
- We note that section 9.4.1 Wind Energy of the Louth County Council Development Plan 2015 – 2021 states the possibility of future large scale wind generation off the Louth coast.
- We note the Wind Energy Development: Guidelines for Planning Authorities 2006 published by the Department of Environment, Community and Local Government and the targeted review the guidelines have been subjected to.
- We note the presence of policies EnCo 14, 15, 16 and 17 in relation to Wind Energy Development.
- We note the comment that the off shore wind farm off the Clogher Head coast should not encroach onto the specific No Go areas.
- We note the comment that Termonfeckin Strand, Clogher Head, Port and Templetown are superb beaches which have considerable tourism potential and the observation that 'it would appear that Clogher Head Beach only may be impacted by the subject development'. The cable route and landing location for any proposed development is not yet known and further surveys and investigation works are required to identify the preferred route and landing location.
- We note the comment that an offshore windfarm would not impact the ability of a beach to apply for a Blue Flag. Hibernian Windpower Ltd will endeavour to ensure that measures are taken to avoid / minimise any activity on sensitive sites along the coast and none of the activities to be undertaken during the term of the foreshore licence should cause pollution. Coastal erosion should not arise from surveys and investigation works to be undertaken during the foreshore licence term. Hibernian Windpower Ltd will ensure measures are taken to offset coastal erosion if required.
- The requirements for a lease and licence of the Foreshore are noted. Planning permission requirements will be followed for any development on the foreshore that is above the high water mark.
- In relation to the development of the foreshore we note the presence of policies RD 17, 18, 19, 20 and 21. In particular Policy RD 21 which discusses the need for supporting documentation on coastal erosion.
- Hibernian Windpower Ltd note the inclusion of the Map of Suitable areas for Wind Development as extracted from the Louth County Development Plan 2015 – 2021.



Mr. Brendan McSherry, Heritage Officer

- We note the comment regarding the SAC, marine mammals and seabirds in the area.

RESPONSE TO IFI (2)



INTERNATIONAL

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Pat O'Neill
Marine Planning & Foreshore,
Dept. Housing, Planning, Community
and Local Government,
Newtown Road,
Wexford

Emily Barrett
Project Engineer

Your Reference: FS006787
Clogher Head

10th July 2018

Re: APPLICATION FOR LICENCE UNDER THE FORESHORE ACTS

Investigation works for an Offshore windfarm in the vicinity of Clogher Head, Co. Louth.
Hibernian Windpower Ltd responses to submissions received during the public notice period.

Dear Pat,

In relation to Inland Fisheries Ireland's submission and comments received during the Public Notice Period regarding the Application for Licence under the Foreshore Acts Ref No. FS006787 the following is the response from Hibernian Windpower Ltd.

Inland Fisheries Ireland

See attached letter from our Marine Ecologist, Brendan O'Connor, Aquafact working on the project.

Yours Sincerely,

PP Ann Marie Downey

Emily Barrett

Project Engineer

Phone: +353 1 703 8307

Email: emily.barrett@esbi.ie





AQUAFACT

INTERNATIONAL SERVICES LTD.

Ms AnnMarie Downey,
ESBI,
One Dublin Airport Central,
Cloghran,
Dublin.

Re.: Your recent correspondence with me re. Clogher Head Project

To whom it may concern.

I am writing to you in relation to the recent letter sent to me by Ms Annmarie Downey ESBI Project Manager regarding the Clogher Head project (4th July 2018) from Patrick O'Neill in the Dept. HPCLG addressed to Mr. E. McCrosain specifically regarding observations provided by Inland Fisheries Ireland (IFI).

AQUAFACT as the competent ecological consultant working for ESBI on this project has the following comments.

In answering the observations of the IFI, I have been researching marine benthos in Ireland, Europe, parts of the USA, the Arabian Gulf and in some southern African countries for the last 45 years and over that time period, I have never come across any mitigation method to reduce impacts on the benthos or fisheries from geotechnical surveys such as gravity coring. Furthermore, given the small size of the corer (15 cm diameter = 177 cms² in area) and that only 1 sample is taken, I consider the spatial extent of the impact of this to be small in comparison to sampling the benthic environment for faunal analysis where 5 x 0.1m² (= 0.5m² in area) samples are collected at each location. I have never come across anyone saying that the impact of benthic sampling " *...may be very disruptive to benthic ecology*" as is stated by IFI. I also suggest that the spatial extent of coring will have little or no effect on commercial fisheries.

ESBI has informed me that although a very large number of vibrocores and CPTs are shown in the offshore study area, only a fraction of that number will actually be taken – the large spread in the area has been shown as ESBI does not know exactly where the cores and CPTs will be taken yet until the geophysical survey is completed; however, the number will be approximately only 10 vibrocores and 10 CPTs in the offshore study area. The depth of those vibrocores and CPTs (approximate no. 10) will be deep – approximately 50m.

Along the cable route – a large spread has been shown but again the number actually taken will be much less and the exact locations will depend on the results of the geophysical survey. The depth of the vibrocores and CPTs along the cable route will be *ca* 6m.

Yours sincerely,

A handwritten signature in black ink, reading "Brendan O'Connor", written over a horizontal line.

Dr. Brendan O'Connor,

10. VII.2018

RESPONSE TO IFI(3)



INTERNATIONAL

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Pat O'Neill
Marine Planning & Foreshore,
Dept. Housing, Planning, Community
and Local Government,
Newtown Road,
Wexford

Emily Barrett
Project Engineer

Your Reference: FS006787
Clogher Head

30th August 2018

Re: APPLICATION FOR LICENCE UNDER THE FORESHORE ACTS

Investigation works for an Offshore windfarm in the vicinity of Clogher Head, Co. Louth.

Hibernian Windpower Ltd response to Inland Fisheries Ireland's submission received during the public notice period.

Dear Pat,

In relation to Inland Fisheries Ireland (IFI) further observations (third set) received during the Public Notice Period regarding the Application for Licence under the Foreshore Acts Ref No. FS006787 the following is the response from Hibernian Windpower Ltd.

Inland Fisheries Ireland

Hibernian Windpower Ltd has no further comment.

Yours Sincerely,

pp Dan Marie Downey

Emily Barrett

Project Engineer
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Email: emily.barrett@esbi.ie

