

SFPA

Pat O'Neill

Subject: Hibernian Wind Power, Kilmichael Point, Co. Wexford - File ref. FS 006788

-----Original Message-----

From: McGabhann, Declan (<mailto:Declan.McGabhann@sfpa.ie>)

Sent: 31 May 2018 08:53

To: Pat O'Neill

Cc: Foley Tina

Subject: Re: Hibernian Wind Power, Kilmichael Point, Co. Wexford - File ref. FS 006788

The following comments relate to the application for a foreshore licence to conduct site investigation at Kilmichael Point, County Wexford.

SFPA have reviewed the application and supplementary documents submitted by Hibernian Wind Power and have the following comments to make;

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 investigations works, Hibernian Wind Power should appoint an local fisheries liaison officer (FLO) to coordinate with the fishing interest groups who operate within the proposed area. The FLO will be responsible for informing the fishing interest groups of location, duration and deployment dates where relevant, of any environmental monitoring devices. The Applicant also needs to provide contact details of the FLO to the SFPA Dunmore East Office. I have included contact details of some local interests that are on file with regards to the application below.

The proposed foreshore licence application falls in the area of Curracloe classified shellfish production area. Up to 12 vessels may be engaged in this fishery which operates on a 7 day basis. The Regional Inshore Fisheries Forum can advise on the number and frequency of vessels in and around the production area. Details of the RIFF have already been sent to the applicant through the department of agriculture, food and marine response.

Should good communication with the interested parties and the applicant prior and during the site investigation works I cannot see that for the purpose of this application any issue should arise.

Irish South & East Fishermen's Producer Organisation, Hugo Boyle (086 0222090<<tel:086%200222090>>) and John Lynch (0868282762<<tel:0868282762>>)
isefpo@eircom.net<<mailto:isefpo@eircom.net>><<mailto:isefpo@eircom.net><<mailto:isefpo@eircom.net>>>

Irish Fishermen's Producer Organisation, Francis O'Donnell (0879247344<<tel:0879247344>>)
ifpo@eircom.net<<mailto:ifpo@eircom.net>><<mailto:ifpo@eircom.net><<mailto:ifpo@eircom.net>>>

Kind regards,
Declan

MT

Shirley Kennedy

From: Terry McMahon <Terry.McMahon@Marine.ie>
Sent: 13 February 2018 15:00
To: Shirley Kennedy
Subject: RE: FS006788 Site Investigation works at Kilmichael Point, Co. Wexford

Shirley

Hibernian Wind Power Ltd has submitted an application for a Foreshore Licence to carry out site investigations in the south-western Irish Sea in the general vicinity of Kilmichael Point, Co. Wexford. The location of the proposed site investigation area is shown in the following drawing submitted by the applicant:

- Drawing No. QS-000247-01-D460-001, "Foreshore Licence Map Admiralty Chart" , dated 05/01/2018

It is proposed that the site investigations will include:

- Archaeological Survey – which will include a desk study, identification and assessment of metallic and other targets using magnetometer and identification and assessment of targets using sidescan sonar and diving as required.
- Geophysical Survey - involving the use of multibeam echo sounder, magnetometer, sub-bottom profiler and side scan sonar
- Geotechnical survey – involving cone penetration testing as well as the collection of grab samples and vibrocores. It is proposed to carry out 200 cone penetration tests and collect 200 Vibrocores and 80 grab samples within the study area, the locations of which would be subject to the results of the geophysical and archaeological survey.
- Deployment of 3 wind measuring and 3 current measuring devices

The indicative location of cone penetration testing and the collection of vibrocores, as well as the proposed locations for the deployment of wind measuring and current measuring devices are shown in the following drawings submitted by the applicant:

- Drawing No. QS-000247-01-D460-002, Foreshore Investigation Licence –Study Area OSI Discovery Series, dated 05/01/2018
- Drawing No. QS-000247-01-D460-003, Foreshore Investigation Licence –Study Area Admiralty Chart, dated 05/01/2018

It is intended that the Geophysical and Geotechnical Surveys would be carried out in summer 2018 and would be up to 3 months in duration. It is also intended that the Archaeological Survey would be carried out in summer 2018 and would be approximately 1 month in duration. It is intended that the wind measuring devices would be deployed in summer 2018 and would be in situ for a minimum period of 12 months and a maximum period of 36 months. The current measuring devices would also be deployed in summer 2018 and would be in situ for a period of 2 months.

It is noted that it is also intended to carry out non-intrusive marine mammal and bird surveys, as well as drop down video surveys in the area as part of the overall ecological investigations. The ecological surveys would commence in spring 2018, be carried out seasonally and would be of 2 – 3 years in duration. Given the non-intrusive nature of these surveys it is understood that a Foreshore Licence is not required for these elements of the overall site investigations.

The overall aim of the site investigations is to collect the necessary data and information required to optimise the layout and design of an offshore windfarm , finalise offshore foundation locations , select an optimum route for the submarine electricity cables from the windfarm , allow cable design and the development of cable installation

methodologies and to acquire baseline data on the wind resource and baseline environmental information in the area.

There is commercial fishing activity within the proposed site investigation area and therefore some interaction with fishing activity may occur. It is considered that that such interaction will be limited and overall will not be significant. It is recommended, however, that the applicants be required to 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.

On the basis of the above and considering the nature, scale and location of the proposed site investigations the Marine Institute is satisfied that the site investigations as proposed 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 and therefore has no objections to a licence being granted. It is recommended that the following specific conditions should be attached to any licence that may issue.

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 Licensee shall ensure that the works are carried out and completed in accordance with the plans and particulars lodged with the application.
3. The Licensee shall to 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

Terry

Dr. Terry McMahon
Marine Environment and Food Safety Services
Marine Institute
Wilton Park House
Wilton Terrace
Dublin D02 NT99

From: Shirley Kennedy [<mailto:Shirley.Kennedy@housing.gov.ie>]

Sent: 11 January 2018 15:43

To: Edwin Mooney; CANTWELL Nick; 'terry.mcmahon@marine.ie'; 'foreshore@agriculture.gov.ie'; Manager Dau; 'declan.mcghabhann@sfpa.ie'; Jimmy King; george.colfer@wexfordcoco.ie

Subject: RE: FS006788 Site Investigation works at Kilmichael Point, Co. Wexford

Hi All,

Further to my email below, return date should be 16th February 2018. My apologies.

Kind regards,

Shirley Kennedy

Marine Planning and Foreshore
Dept. Housing, Planning, Community and Local Government
Newtown Road,
Wexford
Tel: 053 9117463

MI(2)

Pat ONeill

Subject:

Hibernian Wind Power - Kilmichael Point, Co. Wexford - File ref. FS 006788

From: Terry McMahon [<mailto:Terry.McMahon@Marine.ie>]

Sent: 30 May 2018 16:38

To: Pat ONeill

Subject: RE: Hibernian Wind Power - Kilmichael Point, Co. Wexford - File ref. FS 006788

Pat

My original observation still stand

Terry

Shirley Kennedy

WEXford Co Co.

From: George Colfer <George.Colfer@wexfordcoco.ie>
Sent: 14 February 2018 12:55
To: Shirley Kennedy
Cc: Gerry Forde; Capt Phil Murphy
Subject: RE: FS006788 Site Investigation works at Kilmichael Point, Co. Wexford

Shirley,
Comments as follows:

The proposed site extends from Kilmichael to Ballinoulart on the east coast of Wexford. This area contains numerous beaches including blue flag beaches at Ballymoney, Courtown and green coast beaches at Cahore, Oldbawn. It is also close to the blue flag beach at Morriscastle.

The official bathing season runs from 1st June to 15th Sept and we require confirmation that the geotechnical works will not have an impact on the bathing water, particularly because the site investigation works are planned during the 2018 bathing season.

Regards,
George Colfer
Coastal Engineer

Environment Section
Wexford County Council
County Hall
Carricklawn
Wexford
Phone: 053-9196534
Email: george.colfer@wexfordcoco.ie

From: Shirley Kennedy [<mailto:Shirley.Kennedy@housing.gov.ie>]
Sent: 11 January 2018 15:43
To: Edwin Mooney; CANTWELL Nick; 'terry.mcmahon@marine.ie'; 'foreshore@agriculture.gov.ie'; Manager Dau; 'declan.mcghabhann@sfp.ie'; Jimmy King; George Colfer
Subject: RE: FS006788 Site Investigation works at Kilmichael Point, Co. Wexford

Hi All,

Further to my email below, return date should be 16th February 2018. My apologies.

Kind regards,

Shirley Kennedy
Marine Planning and Foreshore
Dept. Housing, Planning, Community and Local Government
Newtown Road,
Wexford
Tel: 053 9117463



Comhshaol, Pobal agus Rialtas Áitiúil
Environment, Community and Local Government

WMA



Your Ref: FS006788

Ms. Shirley Kennedy,
Foreshore Unit,
DECLG,
Newtown Road,
Wexford.

12/03/2018

ENGINEERING REPORT.

Re: FS006788 Hibernia Wind Power. Foreshore Licence Application for Marine Survey and Site Investigation works for a proposed offshore wind farm off Kilmichael Point, Co. Wexford.

Your emails of 23/11/2017 and 27/02/18 refers-

In relation to the above, ESB International have submitted an Investigative Foreshore Licence Application, on behalf of Hibernia Wind Power, to undertake marine surveys and site investigations in order to assess site and seabed conditions. The surveys will, inform the optimum route for the sub marine electricity cables required for the development of an offshore wind farm, acquire the baseline data to allow cable design and the development of cable installation methodologies, acquire baseline data to optimise the wind farm layout design and finalise offshore foundation locations.. The survey will also acquire baseline data on wind resources and baseline information for environmental studies of the area.

OVERVIEW

As part of their application form, the applicant states that an assessment was undertaken of the bluefield offshore wind potential in the Irish Sea. This reviewed all previous internal research into this area. A comprehensive suite of assessment criteria (water depth, seabed slope, ecological constraints, planning constraints, access to grid, port facilities, navigation channels, existing foreshore leases /applications etc.) were used to rank the identified bluefield areas. This assessment selected two preferred Bluefield options to take forward for development consideration as prospective offshore wind farm sites. One of these is off the coast of Co. Louth at Clogher Head and the other one, the subject of this Foreshore Licence application, is off the coast of Wexford at Kilmichael Point.

The overall Area which will be subject to Surveys/SI is shown on Drawing No QS-000247-01-D460-001 and incorporates a total area of 60,285Ha .The potential output from any final wind farm development is predicted to be of the order of 500MW. The works will be predominately by seaborne electronic surveys (geophysical survey) with some selective sampling of the seabed (geotechnical survey).

SUBMITTED DOCUMENTATION

- Completed “Investigative Foreshore Licence Application” Form dated 11/1/2018
- Outline Contractor’s Method Statement dated 18/12/2017 prepared by ESBI Consultants
- Appendix A “Information on Typical Equipment and Shipping” dated Nov 2017 (included as an add-on with the completed Application Form)
- Appendix C “Information on Wind and Current Measurement Devices” dated Nov 2017 (included as an add-on with the completed Application Form)
- Drawings/Maps as follows
 - Drawing Number QS-000247-01-D460-001 “Foreshore Licence Map Admiralty Chart” at Scale of 1:150000 on A3 (area subject to SI is delineated in red outline)
 - Drawing Number QS-000247-01-D460-002 “Foreshore Investigation Licence-Study Area OSi Discovery Series” at Scale of 1:150,000 on A3 (an OS Discovery Series map, area subject to SI is delineated in red outline, SI spot locations shown)
 - Drawing Number QS-000247-01-D460-003 “Foreshore Investigation Licence –Study Area Admiralty Chart” at Scale of 1:150,000 on A3 (area subject to SI is delineated in red outline, SI spot locations shown)
 - Drawing Number QS-000247-01-D460-004 “Kilmichael Study Area and Arklow Bank Foreshore Lease Area” at Scale of 1:150,000 on A3

PLANNED SURVEYS

This application refers solely to Geophysical Surveys, Archaeological Survey, Ecological Surveys, Geotechnical Investigations and the deployment of wind and current measurement devices within the proposed survey area of 60,285Ha as outlined in Drawing No QS-000247-01-D460-002. It is intended to complete the surveys within 3 to 5 years of receipt of Licence. The wind measurement devices will be deployed for a minimum of 1 year and a maximum of 3 years. The current measurement devices will be deployed for a period of 2 months.

PROPOSED MARINE SURVEYS and SITE INVESTIGATIONS

The types of surveys proposed include geophysical, geotechnical, archaeological and benthic/ecological. Contracts have not yet been awarded for these surveys ,however details of typical equipment is outlined with reference to Section 1.4 of the completed Application Form and also with reference to the Outline Contractors Method Statement (dated 18/12/2017) and Appendices A and C. The location for all of the proposed survey points (spot locations) is shown on Drawing No’s QS-000247-01-

D460-002 and QS-000247-01-D460-003. A brief summary of surveys proposed is as follows:

Geophysical Survey

- Bathymetry (use of Multibeam Echo Sounder MBES)
- Magnetometry
- Geophysical Acquisition systems/sub bottom profiling
- Seismic sound source (applied acoustics boomer plate AA251/AA301 or similar)
- Sidescan Sonar System
- DGPS Positioning
- Steamer Hydrophone (Applied Acoustics or similar)
- Seismic Energy Source (Applied Acoustics CSP-L or similar)

Geotechnical Investigations (subject to results of the Geophysical and Archaeological surveys)

- Grab Sampling, 80 No Grab samples at representative locations within the proposed cable route corridor locations.
- Core Sampling, 200 No Core Samples at representative locations within proposed cable route corridor and offshore area locations
- Cone Penetrating Testing (CPT)-use of seabed cone penetrometer -, 200 No CPT's at representative locations within proposed cable route corridor and offshore area locations.
- Chemical Testing and Sample analyses

The survey area extent and proposed cores and CPT locations are indicated on Drawing No QS-000247-01-D460-002. These locations are subject to archaeological survey results.

Archaeological Survey

- Desk Study
- Identification of metallic and other targets recorded during marine magnetometer survey
- Assessment of archaeological significance of identified targets to include sidescan analysis and diving as required

Marine Ecological Survey

- Intertidal and sub tidal surveys
- Marine benthic, flora and fauna surveys
- Fisheries and Shellfish surveys
- Seabed surveys and collision risk assessment
- Marine Mammal Survey: Static Acoustic Monitoring by use of CPODS deployed on seabed, Towed hydrophonic acoustic array marine habitat identification, classification and mapping.
- Marine water quality sampling

Benthic Ecology Survey

- Sediment grab sampling as required

- Drop down video survey at appropriate locations to undertake benthic assessment
- Near shore diver surveys
- Intertidal core samples along transect locations

Wind and Current Resource Assessment

- Deployment of 1 Seawatch wind Lidar Buoy or similar at one location specified on Drawing No QS-000247-01-D460-002-
- Deployment of 1 ADCPs at locations specified on Drawing No QS-000247-01-D460-002
- Deployment of 1 Marker Buoy at location specified on Drawing No QS-000247-01-D460-002-

Details of the vessels to be used for these Surveys and Site Investigations will not be known until the award of the contract. All vessels taking part in the survey/investigation works will comply with full certification requirements and shall be of an adequate size and navigation ability to ensure the works are carried out in a safe manner. Typical vessel type and sizes which may be used are shown in Appendix A. In terms of the Marine Ecological Survey Works, it is anticipated that a vessel of similar type and size to the "Cuan Ban" as shown in Appendix A could be used for this survey.

All buoys to be deployed within the survey area will comply with CIL standard navigation requirements with regard to lighting, positioning and mooring.

TIMELINES FOR PROPOSED MARINE SURVEYS and SITE INVESTIGATIONS

The provisional programme for undertaking the surveys and site investigations, subject to weather conditions, is outlined at 1.8 of the completed Foreshore Application Form and is as follows:

- | | |
|-------------------------------|----------------------------------------|
| • Geophysical Survey | Summer 2018(3 months max duration) |
| • Geotechnical Investigations | Summer 2018(3 months max duration) |
| • Archaeological Survey | Summer 2018(1 month) |
| • Ecological Surveys | Spring 2018(3 years duration seasonal) |
| • Wind resource Monitoring | Summer 2018 (1 year to max 3 years) |
| • Current resource monitoring | Summer 2018 (2 months duration) |

MARINE LIASON and CONSULTATION

The Applicants sent a letter to a number of Statutory Consultees as advised by DHPLG informing them of the project and proposed works and inviting comment re same. A meeting was held with CIL regarding the project and site location. When the surveys/site investigations are scheduled the ESBI (Consultants for the Applicants) will arrange that the Sea Fisheries Protection Authority is notified so that small fishing vessels may be informed of the works taking place. Care will be taken to maintain contact with fishing vessels operating within the area of operations. The contractor will ensure notifications of the intended work and time lines are posted in

the relevant press well ahead of schedule and a fisheries liaison officer will be employed

NAVIGATION

The Applicants held a meeting with the CIL regarding project site and location. When the survey works/investigations are scheduled the ESBI will arrange for the publication of Local Marine Notices giving a general description of the operations and approximate dates for commencement and completion. The Mariner Notice will be prepared to ensure that other foreshore users are made aware of the operations. All vessels taking part in the survey/investigation works will comply with full certification requirements.

The survey work will be of a temporary nature, there will be a temporary deployment of wind and current measuring buoys. These buoys will comply with standard navigational safety requirements with regard to lighting, positioning and mooring. The impact on marine traffic will be minimal and will be over a very limited period. There are no designated shipping lanes lie within the area for surveys and SI. The closest shipping lane to the site is located approximately 0.7km from the northern boundary of the site area. The proposed works will cause minimal disruption to marine users.

AQUACULTURE

The Department of Agriculture, Food and Marine are presently processing an Aquaculture Application (T32/27) for an offshore Mussel Spat Collection SMART-FARM which is proposed within the Northern Section of the proposed Study/Site investigation area. It is my understanding that there are no Aquaculture facilities in place at present and in any event both the Smart-Farm and the Investigation works could work in tandem. To get the up to date position with this Aquaculture application and any impact that the Site Investigation may have on the Smart-Farm (from DAFMs perspective), **it is important to get the observations of DAFM before issuing any Foreshore Consent.**


ENVIRONMENTAL ISSUES

The proposed Surveys and SI's are of limited duration and extent and all of the proposed works are outside of any designated Natura 2000 site. As part of the duties as a consent authority, DoHPLG through the MLVC are to prepare an Appropriate Assessment Screening Report for this application in accordance Birds and Habitats Regulations 2011.

CONCLUSIONS/RECCOMENDATIONS

I have no objection to the granting of a Licence subject to the following conditions:

- 1 The Applicant should 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 the Applicants shall 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 are not impeded by any vessels, plant or materials used in connection with the site investigations/surveys, and where relevant this access should 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 are 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 shall have appropriate certification from the Marine Survey Office.
4. On completion of the Site Investigation/Surveys the Applicants should 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 to be carried out in consultation with the Maritime Safety Directorate, Department of Transport, Leeson Lane, Dublin2.
6. All relevant Site Investigations and Marine Surveys to 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.


Edwin Mooney
Engineer Inspector (WMAU)

Pat O'Neill

WMA(2)

Subject:

RE: Hibernian Wind Power - Kilmichael Point, Co. Wexford - File ref. FS 006788

From: PJ Shaw

Sent: 30 May 2018 12:12

To: Pat O'Neill

Subject: RE: Hibernian Wind Power - Kilmichael Point, Co. Wexford - File ref. FS 006788

Pat

My observations as made previously still stand.

Regards

P.J

30/5/2018

From: Pat O'Neill

Sent: 30 May 2018 11:35

To: 'terry.mcmahon@marine.ie'; george.colfer@wexfordcoco.ie; PJ Shaw; CANTWELL Nick; 'foreshore@agriculture.gov.ie'; 'Jimmy.King@fisheriesireland.ie'; Foreshore EPA Marine

Subject: Hibernian Wind Power - Kilmichael Point, Co. Wexford - File ref. FS 006788

Dear Addressee,

I refer to the observations provided by your respective offices. With my e-mail of 26/04/2018 I forwarded the applicant's response (dated 25/04/2018) to a number of you.

Please find attached an updated responses document (dated 25/05/2018). Please confirm that, in light of the applicant's responses, your original observations stand.

Regards

Pat

DAU – I refer to the nature conservation and underwater archaeological observations.

DAFM

Shirley Kennedy

From: OFlynn, Deirdre <Deirdre.OFlynn@agriculture.gov.ie>
Sent: 14 February 2018 11:53
To: Shirley Kennedy
Cc: Foreshore
Subject: FS006788 Site Investigation works at Kilmichael Point, Co Wexford

Shirley Kennedy
Department of housing, Planning and Local Government
Newtown Road
Wexford

Your Ref: FS006788

Our Ref: FW/6/13

Re: **Foreshore Licence Application on behalf of Hibernian Wind Power for Site Investigation Works for an Offshore Windfarm in the vicinity of Kilmichael Point, Co. Wexford.**

Dear Shirley,

Further to your email dated 11th January 2018, please find below observations from this Department.

The Department is currently processing an aquaculture application (T32/27) for an offshore mussel spat collection smart-farm that is located within the northern section of the study area. This information was advised to the foreshore applicant by this Department and the foreshore application acknowledges the aquaculture licence application and included it in the foreshore application drawings. Any potential conflict with the aquaculture application will become clear following these foreshore works as the design of the offshore windfarm progresses.

BIM's Inshore Survey Officer has plotted the area as well as the proposed sampling locations (vibrocore and cone penetration) and notes that there is an overlap with historical mussel beds as well as BIM's own annual mussel survey area.

BIM will have drift buoy data later in the year (at spawning season for the mussels) and would expect settlement around the south sampling cluster.

There has been a lot of pressure over the past 10 years on the seed mussel fisheries due to lack of recruitment, and BIM would have concerns regarding the potential impact of the proposed site investigation works on the mussel fishery.

There is commercial fishing activity within the proposed site investigation area and therefore some interaction with fishing activity may occur. It is considered that such interaction will be limited and overall will not be significant. It is recommended, however, that the applicants be required to 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 any interactions with ongoing fishing activity in the area during the course of the site investigations. It is recommended that the appointment of the Fisheries Liaison Officer should be a specific condition on any licence that may be granted.

It should be noted that the south of the proposed site investigation area does overlap with the north of the classified razor production area of Curracloe.

While the application states that "when the survey/investigation works are scheduled, the applicant will arrange that the Sea Fisheries Protection Authority will be notified so that small fishing vessels may be informed of the

works taking place", it is considered that another method of communication be put in place. It is not within the remit of the SPPA to correspond with boats on matters of navigation.

Yours sincerely,

Deirdre O'Flynn

Deirdre O'Flynn
Aquaculture & Foreshore Management Division
Department of Agriculture, Food & the Marine
National Seafood Centre
Clonakilty
Co Cork
023-8859529

Disclaimer:

Department of Agriculture, Food and the Marine

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An Roinn Talmhaíochta, Bia agus Mara

Tá an t-eolais san ríomhphost seo, agus in aon ceanglaín leis, faoi phribhléid agus faoi rún agus le h-aghaidh an seolaí amháin. D'fhéadfadh ábhar an seoladh seo bheith faoi phribhléid profisiúnta nó dlíthiúil. Mura tusa an seolaí a bhí beartaithe leis an ríomhphost seo a fháil, tá cosc air, nó aon chuid de, a úsáid, a chóipeál, nó a scaoileadh. Má tháinig sé chugat de bharr dearmad, téigh i dteagmháil leis an seoltóir agus scrios an t-ábhar ó do ríomhaire le do thoil.

Pat O'Neill

DAFM (2)

Subject:

Hibernian Wind Power, Kilmichael Point, Co. Wexford - File ref. FS 006788

From: Kelleher Evan [<mailto:Evan.Kelleher@agriculture.gov.ie>]

Sent: 27 April 2018 12:02

To: Pat O'Neill

Cc: Foreshore

Subject: RE: Hibernian Wind Power, Kilmichael Point, Co. Wexford - File ref. FS 006788

Dear Pat,

I refer to the comments provided by the applicant regarding observations made by this Department.

The observations provided by BIM were on behalf of the South East Regional Inshore Fisheries Forum (RIFF), which they facilitate.

Should the applicant wish to discuss the potential impact of the proposed site investigation works on the mussel fishery they can contact the RIFF as follows:

Trudy McIntyre
Chair South East RIFF
Trudymac08@gmail.com
0871225636

Or

John Hickey
BIM & SE RIFF Secretariat
John.hickey@bim.ie
0876295047

If the applicant requires anything further, please do not hesitate to contact me.

Kind regards,

Evan

Evan Kelleher
EO, Aquaculture and Foreshore Management Division

An Roinn Talmhaíochta, Bia agus Mara
Department of Agriculture, Food and the Marine

Pat O'Neill

DAFM (3)

Subject:

RE: Hibernian Wind Power Kilmichael Point, Co. Wexford - File ref. FS 006788

From: Kelleher Evan [<mailto:Evan.Kelleher@agriculture.gov.ie>]

Sent: 13 June 2018 10:07

To: Pat O'Neill

Cc: Foreshore

Subject: RE: Hibernian Wind Power Kilmichael Point, Co. Wexford - File ref. FS 006788

Dear Pat,

I can confirm that the Department has no further comments to make on the above application.

Kind regards,

Evan Kelleher

Evan Kelleher

EO, Aquaculture and Foreshore Management Division

An Roinn Talmhaíochta, Bia agus Mara

Department of Agriculture, Food and the Marine

National Seafood Centre, Clogheen, Clonakilty, Co. Cork, P85 TX47

An Láiríonad Bia Mara Náisiúnta, An Cloichín, Cloich na Coillte, Corcaigh, P85 TX47

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www.agriculture.gov.ie

IFI

MARINE LICENCE VETTING COMMITTEE:

Re: DHPCLG file ref. FS006788Foreshore Application on behalf of Hibernian Wind Power for Site investigation Works for an Offshore Windfarm in the vicinity of Kilmichael Point, Co. Wexford

Request for observations from Ms. Shirley Kennedy (DECLG) dated 11.1.2018

Overview:

This application is in respect of a series of surveys to be conducted off the coast of Kilmichael Point, Co. Wexford, as per maps provided. The surveys include:

1. Geophysical surveys
2. Geotechnical surveys
3. Archaeological surveys
4. Marine ecology surveys
5. Benthic ecology survey
6. Wind resource assessment
7. current resource assessment

Timing and duration of works are listed as:

- a) Geophysical surveys - summer 2018 – 3-month duration
- b) Geotechnical surveys - summer 2018 – 3-month duration
- c) Archaeological surveys – summer 2018 – 1-month duration
- d) Marine ecology surveys – spring 2018 – 3-years duration - seasonal
- e) Benthic ecology survey – spring 2018 – 3-years duration - seasonal
- f) Wind resource assessment – summer 2018 – 12 month (min) – 36 month (max)
- g) current resource assessment - summer 2018 – 2 months

IFI comment:

IFI notes that a Screening for AA report does not appear to be provided. This might be anticipated given the proximity of the overall area to the *Natura 2000* site Blackwater Bank SAC (NPWS ref. no. 002953). The site is of conservation importance for its submerged sandbanks, a habitat that is listed on Annex I of the E.U. Habitats Directive.

Survey Item1: The geophysical procedures proposed use instruments that can generate sound pressure levels (SPL) of 200 dB or greater, as indicated in the documents provided, in the case of sub-bottom profiler and seismic boomer. There is potential for impacts to fish species here but such issues are not addressed in the application. The opinion of the SFPA should be sought in regard to relevance of site for marine fish species – particularly in regard to spawning and nursery areas and measures in regard to timing etc as proposed by SFPA should be included in foreshore licence.

Mitigation measures in regard to the timing of works and also in regard to noise generation and potential for adverse impact on fish species should be agreed with Foreshore Divn DHPCLG and form part of any foreshore licence. These mitigations should cover:

- Reduction in the number of sound-requiring test types to be employed
- 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
- duration of noise-generating surveys will be reduced to the minimum necessary to collect results of sufficient quality.

Survey Item 2: The geotechnical survey has listed two areas within which a very large number of locations for coring are proposed. It is understood that individual cores are not particularly large but the scale of coring seems very substantial. This is likely to be very disruptive to benthic ecology, including fish species, and to inshore commercial fishing for the duration of the coring activity.

One of the areas is the Glasgorman Bank with extensive shallows.

The second area for proposed intensive coring lies to north east of Cahore Point

Mitigation measures in regard to the timing of works should be agreed with Foreshore Divn DHPCLG and form part of any foreshore licence. If such a large number of cores are required then a staggered approach – with a portion of the total sampled over 2-3 years, as proposed for the marine ecology surveys – would be less potentially intrusive.

Survey Items 3 - 7 do not raise any particular concerns. Items 6 and 7 will retain instrumentation *in situ* for extended periods. The reasons for this are clear and the instruments will collect data of wide scientific interest. The instruments do not impact on marine ecology or fisheries. It is understood that the instruments will be marked for navigation safety etc.

James J. King (IFI R&D) and Donnachadh Byrne (IFI Southeastern RBD, Dublin)

Inland Fisheries Ireland

24.2.2018

CC Terry Mc Mahon MLVC; Declan Mc Gabhann SFPA

M50

Marine Survey Office,
Abbey View House,
Ballyshannon Town Centre
Ireland.

Tel: 353-071-9822400

Fax:

Memorandum to	– Foreshore Section
Attention	Shirley Kennedy
Fax No	
From	Nick Cantwell
No of Pages	1
Date	22 January 2018
Reference	FS 006788 Site investigation works. Kilmichael Point, Wexford.
CC	

- Having carefully reviewed the application and in particular the mitigating statements, this office has no objections from a navigational viewpoint to the above application.
- **The applicant is required** to arrange the publication of a local marine notice. This local marine notice should give a general description of operations and approximate dates of commencement and completion. An advertisement in a locally read newspaper will suffice.
- Full consultation with Wexford Harbour Authority is required in this matter.
- The views of the Divisional Engineer should be sought.

Yours faithfully

N.W.Cantwell (Capt.)
Nautical Surveyor

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Pat O'Neill

MSO(2)

Subject:

RE: Hibernian Wind Power - Kilmichael Point, Co. Wexford - File ref. FS 006788

From: CANTWELL Nick [<mailto:NickCANTWELL@dtas.gov.ie>]

Sent: 30 May 2018 11:40

To: Pat O'Neill

Subject: RE: Hibernian Wind Power - Kilmichael Point, Co. Wexford - File ref. FS 006788

Good morning Pat.

In relation to the above the MSO have no additional comments or observations.

Best regards.

Nick Cantwell (Capt)
Marine Survey Office

An Roinn Iompair, Turasóireachta agus Spóirt
Department of Transport, Tourism and Sport

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Nickcantwell@dtas.gov.ie www.dttas.gov.ie

Shirley Kennedy

NATURE (1) + ARCH (1)

From: Shirley Kennedy
Sent: 15 February 2018 11:57
To: Shirley Kennedy
Subject: FW: Foreshore Licence application FS006788

From: Foreshore EPA Marine
Sent: 13 February 2018 15:25
To: foreshore
Subject: Foreshore Licence application FS006788

RE: Foreshore Licence application FS006788 for site investigation works by Hibernian Wind Power for offshore windfarm, Kilmichael Point, Co. Wexford.

A Chara,

On behalf of the Department of Culture, Heritage and the Gaeltacht I refer to the above.

Outlined below please find the Underwater Archaeology & Nature Conservation observations.

Underwater Archaeology

This Department previously dealt with this at pre-application stage (Our Ref: WX-CON-A171106-0039 & G Pre00223/2017;

Your Ref: ESB Foreshore WX) and a response issued on the 7th December 2017 to Ms Annemarie Downey, Project Manager CEng, ESBI International Dublin. Our recommendations remain unchanged. It was noted that it remains the intention to carrying out a swath of geophysical survey in tandem with grab samples, CPTs and vibrocores and to commission an Underwater Archaeological Impact Assessment (UAIA) to assess all results of these surveys. We welcome the latter and the following requirements in this regard remain the same:

The Underwater Archaeological Impact Assessment (UAIA) shall include the following:

- Desktop study. Consultation with relevant sources, including the Wreck Inventory of Ireland Database and the Ports and Harbours Archive (held by the NMS) and the Topographical Files of the National Museum. Cartographic sources and relevant historical and journalistic sources should be consulted as should any contemporary. The results from any previous archaeological work in the immediate area shall be included in the desktop study.
- A detailed coastal and foreshore archaeological survey shall form part of the assessment that takes in the direct areas to be impacted and the adjacent hinterland that may be impacted by the works traffic, etc.
- A detailed Impact Statement shall be included in the UAIA and this shall put forward relevant follow up mitigation where necessary and as identified to mitigate any impact on identified or potential archaeology.
- The coastal and intertidal survey shall be carried out at low water springs and shall be accompanied by a hand-held metal detection survey.
- A suitably qualified and suitably experienced maritime or underwater archaeologist shall carry out the assessment and the fieldwork to be done under the requisite Dive Survey Licence and Detection Device Licence.
- Include results from the Geophysical surveys, to be carried out to the archaeological specifications that will allow the identification of underwater cultural heritage. The raw data shall be interpreted by a suitably qualified archaeo-geophysicist.

The geotechnical surveys, including the taking of vibrocores and grab samples, should be carried out after the UAIA has been done to ensure no samples or cores are taken from an area where a wreck site is located. The UAIA should serve to inform on this.

Further comments may issue or further archaeological mitigation may be required based on the results of the UAIA report that shall be submitted for consideration to this Department as part of the pre-planning scoping and the undertaking of Appropriate Assessments to inform on the future proposed works.

Nature Conservation

The proposed development may be within and adjacent to the following Special Areas of Conservation:

- Kilpatrick Sandhills cSAC (site code: IE001742)
- Cahore Polders and Dunes SAC (Site code: IE000700)
- Kilmuckridge-Tinnaberna Sandhills SAC (Site code: IE001741)

These SACs have Qualifying Interests from amongst the following coastal Annex I habitats:

- *Annual vegetation of drift lines.*
- *Embryonic shifting dunes.*
- *Shifting dunes along the shoreline with *Ammophila**
- *Fixed coastal dunes with herbaceous vegetation.*
- *Atlantic decalcified fixed dunes (*Calluno-Ulicetea*).*

According to Article 6(3) of Council Directive (92/43/EEC) (the Habitats Directive) 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. The provisions of this article have been transposed into the Irish Statute by Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations (SI 477 of 2011).

It must be noted that all cetaceans are listed under Annex IV (including those in Annex II) of Council Directive 92/43/EEC (the Habitats Directive). Accordingly, under Article 12 of that Directive, it is an offence to deliberately capture, disturb or kill a cetacean or take actions that result in deterioration or destruction of their breeding sites or resting places. This has been transposed into Irish Law by Regulation 51 of the European Communities (Birds and Natural Habitats) Regulations. Introduction of certain sound sources into the marine environment, as may result from construction or surveys (e.g. geophysical survey) over the foreshore, have the potential to cause injury and possibly mortality in these species. All marine mammals are protected wild animals under the Fifth Schedule, which includes all cetacean and seal species, of the Wildlife Act (39 of 1976) and Amendments. Under Section 23 (as amended in 2000), it is an offence to kill, injure or wilfully interfere with or destroy the breeding place or resting place of any protected wild animal.

In order to fulfil the Article 6 legal requirements the following information should be supplied within the application in relation to Annex I habitats:

A. Full description of proposed operation/activity

- A full and finalised description of the proposed methodology including the likely time-scale of works. It is not currently clear what level of interaction would occur within Kilpatrick Sandhills SAC.
- Are there similar operations/activities already in the locality? If existing operations/activities occur adjacently then a justification for additional facilities should be included. Would the proposed works act in conjunction with any existing or planned developments?
- The facilities or licensing to be put in place to cope with both biological and industrial waste (e.g. construction materials, etc.) generated during the proposed survey work should be detailed. Detailed contingency plans sufficient to address potential negative interactions with the marine environment e.g. oil spills.

B. Baseline description of relevant environment

- A description of the biological environment over which the activity would impact, including the terrestrial flora and fauna, must be included if work is envisaged with Kilpatrick Sandhills SAC.
- Consideration should be given to whether the likely surveys would result in disturbance or loss to Annex I habitats. Any loss or interruption of normal processes must be quantified relative to the entire designated area not just within the direct footprint of development.

In addition to the information related to the Annex I habitats the proponent should also evaluate whether the operations would have a potential to interact with marine mammals. The proponent must ensure that the survey operations are compliant with "Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters". The latest version of this document was published in January 2014 and is available to download from <http://www.npws.ie/marine/bestpracticeguidelines/>.

Mise le meas,

Simon Dolan
Development Applications Unit
Department of Culture, Heritage, and the Gaeltacht.
Newtown Road
Wexford

tel: 0539117377



An Roinn
Cultúir, Oidhreacht agus Gaeltachta
Department of
Culture, Heritage and the Gaeltacht

foreshore

NATURE (2) + ARCH (2)

From: Foreshore EPA Marine
Sent: 11 June 2018 09:34
To: foreshore
Subject: Foreshore Licence FS006788

RE: Foreshore Licence FS006788 by Hibernian Wind Power for Site investigation Works for an Offshore Windfarm at Kilmichael Point, County Wexford.

A chara,

Please find the nature conservation and underwater archaeology recommendations of the Department of Culture, Heritage, and the Gaeltacht for the above mentioned application.

Nature Conservation

The proposed development may be within and adjacent to the following Special Areas of Conservation:

- Kilpatrick Sandhills cSAC (site code: IE001742)
- Cahore Polders and Dunes SAC (Site code: IE000700)
- Kilmuckridge-Tinnaberna Sandhills SAC (Site code: IE001741)

According to Article 6(3) of Council Directive (92/43/EEC) (the Habitats Directive) 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. This article has been transposed into the Irish Statute by Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations (SI 477 of 2011) which also requires the competent authority to screen for Appropriate Assessment. The competent authority should ensure that it has received sufficient information from the applicants in order to complete this requirement.

Some of the required information was indicated in the previous correspondence from this Department. Best practice is that an appropriately qualified ecologist would examine the proposed project or plan and determine the likely potential for ecological interaction. It would then be possible following this examination to determine whether effects have screened out or whether a more detailed assessment is required. It is recommended that this assessment is circulated to Statutory Consultees once completed.

Underwater Archaeology

The Department notes that the applicants intend on engaging a suitably qualified archaeologist to carry out the required Underwater Archaeological Impact Assessment (UAIA). This is to be welcomed, as previously indicated but the following should be included as a Condition on any Foreshore Licence issued:

An Underwater Archaeological Impact Assessment (UAIA) shall be carried out as per format laid out by the Underwater Archaeology Unit of the Department of Culture, Heritage & the Gaeltacht and previously issued to the applicants. A suitably qualified and suitably experienced maritime or underwater archaeologist shall carry out the assessment under the required licences. A detailed method statement shall accompany the licence applications.

Mise le meas,

Connor Rooney
Development Applications Unit
Department of Culture, Heritage, and the Gaeltacht.
Newtown Road

Pat O'Neill

NATURE (3) + ARCH (3)

Subject:

Hibernian Wind Power - Kilmichael Point, Co. Wexford - File ref. FS 006788

From: Foreshore EPA Marine

Sent: 24 August 2018 15:11

To: Pat O'Neill

Subject: RE: Hibernian Wind Power - Kilmichael Point, Co. Wexford - File ref. FS 006788

RE: FS006788 by Hibernian Wind Power for Site investigation Works for an Offshore Windfarm at Kilmichael Point, County Wexford.

A chara,

Attached please find the underwater archaeology recommendations of the Department of Culture, Heritage, and the Gaeltacht for the above mentioned foreshore licence.

The Department notes the applicant's response to the Department's requirement for an Underwater Archaeological Impact Assessment (UAIA) and their intention to engage a suitably qualified archaeologist to carry it out. The Department also notes the archaeologist will apply for the required licences under the National Monuments Act and submit the attendant method statement, in advance of any works commencing. The UAIA report will need to be submitted to the Underwater Archaeology Unit for consideration and further comment, in advance of all such site investigation works.

As per the Departments previous response, the Department have no issue with the Department requirements being included as a Condition of any Foreshore Licence issued. The following should be included as the Condition:

An Underwater Archaeological Impact Assessment (UAIA) shall be carried out as per format laid out by the Department of Culture, Heritage & the Gaeltacht and previously issued to the applicants. A suitably qualified and suitably experienced maritime or underwater archaeologist shall carry out the UAIA under the required licences. A detailed method statement shall accompany the licence applications. The UAIA Report shall issue to the National Monuments Service for review and further response in advance of site investigation works commencing.

The NPWS has no comment to make at this time.

Mise le meas,

Connor Rooney

Clerical Officer

An Roinn Cultúir, Oidhreacht agus Gaeltachta
Department of Culture, Heritage and the Gaeltacht

Aonad na nIarratas ar Fhorbairt
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