



INTERNATIONAL

RESPONSES TO ARCH(1), NATURE(1), MI,
WEXFORD Co Co, DAFM, IFI, WMA, MSO

Underwater Archaeology & Nature Conservation, Department of Culture, Heritage and the Gaeltacht

Hibernian Windpower Ltd welcome the comments from the Department of Culture, Heritage and the Gaeltacht on 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:

- Hibernian Windpower Ltd note that certain items are required of the Underwater Archaeological Impact Assessment (UAIA), broadly outlined as: desktop study, detailed coastal and foreshore archaeological survey, detailed impact statement, coastal and intertidal survey, assessment by suitably qualified maritime/underwater archaeologist, and the examination and inclusion of geophysical survey results. Hibernian Windpower Ltd will comply with this.
- Hibernian Windpower Ltd note the recommendation for geotechnical works to be carried out after the UAIA is complete. It is also noted that the results of the geophysical survey should serve to inform this document. We intend to undertake the geophysical and geotechnical surveys during the same survey campaign. 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. 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.
- Hibernian Windpower Ltd notes the importance of underwater archaeology and is committed to having no undue adverse impact on the area of investigation. Hibernian Windpower Ltd will require the onboard presence of a suitably qualified marine archaeologist whilst survey works are ongoing.

Nature Conservation

Hibernian Windpower Ltd note the details regarding the Special Areas of Conservation (SACs) within and adjacent to the site. Hibernian Windpower Ltd do not intend on carrying out marine geophysical / geotechnical surveys within any SAC. The Foreshore Licence Application map was extended to the shoreline for area completeness. The cable route has not yet been determined and Hibernian Windpower Ltd will endeavour to ensure that no significant effects are likely to occur close to an SAC area.

- Hibernian Windpower Ltd note that in order to fulfil the legal requirements of Article 6(3) of Council Directive (92/43/EEC) the following information should be supplied within the application.

A. Full description of proposed operation/activity

- Whilst it is not intended to undertake survey works within an Annex 1 habitat during the term of the foreshore licence please refer to the document titled 'Outline Contractor's Method Statement' which was submitted with the Foreshore Licence Application. This document gives a description of the proposed survey works including likely methodologies, programme



of the works, environmental protocols to be adapted to minimise any risk of discharge of pollutant matter to the marine environment.

- The only known operation in the area which Hibernian Windpower are aware of is the existing Arklow Bank wind farm. At this investigative stage of the works the proposed surveys will not act in conjunction with this existing development. Hibernian Windpower Ltd is not aware of any other existing or planned developments in the area.

B. Baseline description of relevant environment

- Survey works are not envisaged within Kilpatrick Sandhills SAC.
- Surveys will not result in disturbance or loss to Annex 1 habitats.

All survey operations will be compliant with the "Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters".

Hibernian Windpower Ltd note the request for further communications to be addressed to the Department's Development Applications Unit (DAU).

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.

Wexford County Council

Hibernian Windpower Ltd welcome the comments of Wexford County Council and return the following:

Hibernian Windpower Ltd note the query regarding the maintenance of bathing water quality at adjacent beaches/coastline whilst works are ongoing, notably the blue flag beaches at Ballymoney, Courtown and Morristown, in addition to the green coast beaches at Cahore and Oldbawn.

It is of note that although the investigation works are widespread within the investigation area the nature of the works is of negligible impact to the marine environment as a whole and in turn, the coastline. The impact of the proposed works is of low impact in terms of disturbing the seabed, e.g. sediment, foreign agents introduced. Further to this, the appointed contractors will adhere to industry standard operational and environmental practice, as reviewed by Hibernian Windpower Ltd.



In this case, it is reasonable to advise that there will be no impact on the bathing water quality at the aforementioned locations/along the coastline.

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

Hibernian Windpower Ltd welcome the comments of the Aquaculture & Foreshore Management Division, Department of Agriculture, Food and the Marine and return the following:

- Hibernian Windpower Ltd note the comments around the aquaculture application (T32/27), historical mussel beds, BIM's annual mussel survey area and the razor production area of Curracloe.
- Hibernian Windpower Ltd note BIM's concerns regarding the potential impact of the proposed site investigation works on the mussel fishery and we are prepared to discuss the survey works and understand BIM's concerns.
- Hibernian Windpower Ltd is in the process of appointing a Fisheries Liaison Officer to address/advise any potential interaction with fishing in the area.
- A suitable method of notifying small fishing vessels in the area will be implemented once a Fisheries Liaison Officer has been appointed.

Underwater Archaeology and Nature Conservation, National Parks and Wildlife Service

Hibernian Windpower Ltd welcome the comments from the Underwater Archaeology and Nature Conservation section of the National Parks and Wildlife Service.

The same comments were submitted by the same divisions in the Department of Culture, Heritage and the Gaeltacht. These comments were addressed earlier under this submission. Hibernian Windpower Ltd's comments are copied here for completeness.

Underwater Archaeology

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

- Hibernian Windpower Ltd note that certain items are required of the Underwater Archaeological Impact Assessment (UAIA), broadly outlined as: desktop study, detailed coastal and foreshore archaeological survey, detailed impact statement, coastal and intertidal survey, assessment by suitably qualified maritime/underwater archaeologist, and the examination and inclusion of geophysical survey results. Hibernian Windpower Ltd will comply with this.
- Hibernian Windpower Ltd note the recommendation for geotechnical works to be carried out after the UAIA is complete. It is also noted that the results of the geophysical survey should serve to inform this document. We intend to undertake the geophysical and geotechnical surveys during the same survey campaign. 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. 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.

- Hibernian Windpower Ltd notes the importance of underwater archaeology and is committed to having no undue adverse impact on the area of investigation. Hibernian Windpower Ltd will require the onboard presence of a suitably qualified marine archaeologist whilst survey works are ongoing.

Nature Conservation

Hibernian Windpower Ltd note the details regarding the Special Areas of Conservation (SACs) within and adjacent to the site. Hibernian Windpower Ltd do not intend on carrying out marine geophysical / geotechnical surveys within any SAC. The Foreshore Licence Application map was extended to the shoreline for area completeness. The cable route has not yet been determined and Hibernian Windpower Ltd will endeavour to ensure that no significant effects are likely to occur close to an SAC area.

- Hibernian Windpower Ltd note that in order to fulfil the legal requirements of Article 6(3) of Council Directive (92/43/EEC) the following information should be supplied within the application.

A. Full description of proposed operation/activity

- Whilst it is not intended to undertake survey works within an Annex 1 habitat during the term of the foreshore licence please refer to the document titled 'Outline Contractor's Method Statement' which was submitted with the Foreshore Licence Application. This document gives a description of the proposed survey works including likely methodologies, programme of the works, environmental protocols to be adapted to minimise any risk of discharge of pollutant matter to the marine environment.
- The only known operation in the area which Hibernian Windpower Ltd are aware of is the existing Arklow Bank wind farm. At this investigative stage of the works the proposed surveys will not act in conjunction with this existing development. Hibernian Windpower Ltd is not aware of any other existing or planned developments in the area.

B. Baseline description of relevant environment

- Survey works are not envisaged within Kilpatrick Sandhills SAC.
- Surveys will not result in disturbance or loss to Annex 1 habitats.

All survey operations will be compliant with the "Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters".

Hibernian Windpower Ltd note the request for further communications to be addressed to the Department's Development Applications Unit (DAU).

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 150 mm 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.

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.

Hibernian Windpower Ltd also return the following:

- Hibernian Windpower Ltd will consult with the SFPA to ensure fishermen are informed of survey works and will employ a Fisheries Liaison Officer for this purpose.
- Hibernian Windpower Ltd will ensure notifications of the intended work and timelines are posted in the relevant press well ahead of schedule.
- In advance of commencing the marine surveys Hibernian Windpower Ltd will publish a local Marine Notice in compliance with the CIL and MSO.
- Hibernian Windpower Ltd note the comments regarding Aquaculture and Environmental Issues.



Marine Survey Office (MSO)

We welcome the Marine Survey Office's (MSO) comments in which they note that they have no objections from a navigational viewpoint to the application subject to the following conditions which will be met:

1. Hibernian Windpower Ltd will arrange with the MSO the publication of a local marine notice. This marine notice will give a general description of operations and approximate dates of commencement and completion of works. This marine notice can be published in a locally read newspaper.
2. Full consultation with Wexford Harbour Authority will occur in regards to this matter.

Department of Agriculture, Food and the Marine

Hibernian Windpower Ltd welcome the response from the Department and note the contact details of the South East Regional Inshore Fisheries Forum (RIFF). Hibernian Windpower Ltd will contact the RIFF to discuss any potential impacts of the proposed site investigation works on the mussel fishery.



INTERNATIONAL

One Dublin Airport Central, Dublin Airport, Cloughran, Co. Dublin, Ireland
Phone +353 1 703 8000 Fax +353 1 662 3269 Email marketing@esbi.ie
Web esbinternational.ie

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

Emily Barrett
Project Engineer

Your Reference: FS006788
Kilmichael Point

1st June 2018

Re: APPLICATION FOR LICENCE UNDER THE FORESHORE ACTS

Investigation works for an Offshore windfarm in the vicinity of Kilmichael Point, Co. Wexford.
Hibernian Windpower Ltd response to the Sea Fisheries Protection Authority (SFPA)
submission received during the public notice period.

Dear Pat,

In relation to the SFPA submission and comments received during the Public Notice Period regarding the Application for Licence under the Foreshore Acts Ref No. FS006788 the following is the response from Hibernian Windpower Ltd.



Sea Fisheries Protection Authority (SFPA)

Hibernian Windpower Ltd welcome the comments of the Sea Fisheries Protection Authority (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 Hibernian Windpower Ltd prior to and during the site investigation works, to which Hibernian Windpower Ltd will comply with.

Interested Parties:

- Irish South and East Fishermen's Producer Organisation, (Hugo Boyle and John Lynch)
- Irish Fishermen's Producer Organisation, (Francis O'Donnell)
- South East Regional Inshore Fisheries Forum (RIFF), (Trudy McIntyre)

Hibernian Windpower Ltd also return the following:

- We note the comment relating to the safety of seafood caught within or adjacent to the applied foreshore area.
- A Fisheries Liaison Officer (FLO) 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 Dunmore East Office.
- We note the information supplied in relation to the classified shellfish production area within the proposed foreshore licence application area. Hibernian Windpower Ltd appreciate this information and will consider it for the duration of their licence.

Yours Sincerely,

Emily Barrett

Project Engineer

Phone: +353 1 703 8307

Email: emily.barrett@esbi.ie

RESPONSE TO NATURE (2) → ARCH (2)



INTERNATIONAL

One Dublin Airport Central, Dublin Airport, Cloughran, Co. Dublin, Ireland
Phone +353 1 703 8000 Fax +353 1 662 3269 Email marketing@esbi.ie
Web esbinternational.ie

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

Emily Barrett
Project Engineer

Your Reference: FS006788
Kilmichael Point

10th July 2018

Re: APPLICATION FOR LICENCE UNDER THE FORESHORE ACTS

Investigation works for an Offshore windfarm in the vicinity of Kilmichael Point, Co. Wexford.

Hibernian Windpower Ltd response to the National Parks and Wildlife Service (NPWS) and Underwater Archaeology Unit (UAU) of the Department of Culture, Heritage and the Gaeltacht's submission received during the public notice period.

Dear Pat,

In relation to the NPWS and UAU submissions and comments received during the Public Notice Period regarding the Application for Licence under the Foreshore Acts Ref No. FS006788 the following is the response from Hibernian Windpower Ltd.

Nature Conservation

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

Underwater Archaeology

We had a call with Carl Brady from the Underwater Archaeology Unit on the 27th June 2018. During this phone call we discussed the observations from the Underwater Archaeology Unit and the requirement for a UAIA which we will complete as per format laid out by the Underwater Archaeology Unit in advance of any survey works. However we do not have a maritime archaeologist engaged on the project yet and as such cannot complete the method statement. We will apply for a licence under the National Monument Act. Once we have a competent





INTERNATIONAL

esbi.ie

archaeologist engaged we will ensure he/she consults with the department regarding this licence.

We request that the UAIA and method statement for the assessment be a condition of the foreshore licence application.

Yours Sincerely,

A handwritten signature in cursive script, appearing to read 'Emily Barrett'.

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 regarding the Kilmichael Point Project.

To whom it may concern

I am writing to you in relation to the recent email and copies of letters sent to me by Ms AnnMarie Downey ESBI Project Manager regarding the Kilmichael project (15th February 2018 and 11th June 2018) from Shirley Kennedy in the Dept. HPCLG addressed to Mr. E. McCrosain and Ms. Emily Barrett, specifically regarding Nature Conservation, which notes that there are a number of SACs in the area, specifically the Kilpatrick Sandhills (but also Kilmuckridge – Tinnaberna Sandhills).

AQUAFACT as ESBI's competent ecologist working on the project at present cannot see there being any interaction between the works which are investigative Geotechnical and Geophysical Studies on the seabed and any of these SACs as they are terrestrial habitats and not marine.

The letter notes that the competent authority should screen for Appropriate Assessment - however this is not required to be carried out at this stage in the project – ESBI requires a foreshore licence to

undertake the investigative geotechnical and geophysical studies on the seabed to get an understanding of the seabed.

An Appropriate Assessment will be undertaken at a later stage if and when the project proceeds to development.

In the 3rd bullet of Section A of her letter, reference is made to "*waste generated during the proposed survey work*". No waste is generated by geotechnical and geophysical studies.

Regarding possible impact on marine mammals, the NPWS guidelines on risk to such species from man-made sounds need to be followed by the company that does the survey work.

Yours sincerely,

Brendan O'Connor

Dr. Brendan O'Connor,

10. VII.2018

RESPONSE TO NATURE (3) + ARCH(3)



INTERNATIONAL

One Dublin Airport Central, Dublin Airport, Cloghran, Co Dublin, Ireland
Phone +353 1 703 8000 Fax +353 1 662 3269 Email marketing@esbl.ie
Web esbinternational.ie

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

Emily Barrett
Project Engineer

Your Reference: FS006788
Kilmichael Point

30th August 2018

Re: APPLICATION FOR LICENCE UNDER THE FORESHORE ACTS

Investigation works for an Offshore windfarm in the vicinity of Kilmichael Point, Co. Wexford.

Hibernian Windpower Ltd response to the National Parks and Wildlife Service (NPWS) and Underwater Archaeology Unit (UAU) of the Department of Culture, Heritage and the Gaeltacht's submission received during the public notice period.

Dear Pat,

In relation to the NPWS and UAU further submissions and comments (third set) received during the Public Notice Period regarding the Application for Licence under the Foreshore Acts Ref No. FS006788 the following is the response from Hibernian Windpower Ltd.

Underwater Archaeology

Hibernian Windpower Ltd accept that for any Foreshore Licence that may be issued the following will be included as a 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.

Nature Conservation

Hibernian Windpower Ltd has no further comment.



INTERNATIONAL

esbi.ie

Yours Sincerely,

PP Ann Marie Donnelly

Emily Barrett

Project Engineer

Phone: +353 1 703 8307

Email: emily.barrett@esbi.ie