

**REPORT OF THE MARINE LICENCE VETTING COMMITTEE (MLVC)**  
**on**  
**FORESHORE LICENCE APPLICATION FOR MARINE SITE INVESTIGATION**  
**WORKS (FS006788).**

**APPLICANT: HIBERNIAN WIND POWER LTD**

**Mr. Edwin Mooney**  
**Marine Licence Vetting Committee**  
**15<sup>th</sup> November 2018**

## **Hibernian Wind Power Ltd – Foreshore Licence Application for Marine Site Investigation Works (FS006788).**

### **Project Description**

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 number 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 – This will include a desk study, identification and assessment of metallic and other targets using magnetometer and identification and assessment of targets using side-scan sonar and diving as required.
- Geophysical Survey - This will involve the use of multi-beam echo sounder, magnetometer, sub-bottom profiler and side-scan sonar
- Geotechnical survey – This will involve cone penetration testing as well as the collection of grab samples and vibro-cores. It is proposed to carry out 200 cone penetration tests and collect 200 Vibro-cores 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 vibro-cores, 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 number QS-000247-01-D460-002, Foreshore Investigation Licence – Study Area OSI Discovery Series, dated 05/01/2018.
- Drawing number 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 of up to three (3) months duration. The Archaeological Survey would be of approximately one (1) month in duration. The wind measuring devices would be deployed for a minimum period of twelve (12) months and a maximum period of thirty-six (36) months. The current measuring devices would be deployed for a period of two (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 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 wind farm, finalise offshore foundation locations, select an optimum route for the submarine electricity cables from the wind farm, 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.

The project is not of a class that requires the submission of an Environmental Impact Statement.

The project is not located within a designated Natura 2000 site. There are four (4) Natura 2000 Sites within 15 Km of the site investigation area including:

- Blackwater Bank SAC (Site Code 002953) – located circa 1Km from the site investigation area.
- Kilpatrick Sandhills SAC (Site Code 001742) – located circa 5Km from the site investigation area.
- Cahore Marshes SPA (Site Code 004143) – located circa 6Km from the site investigation area.
- Cahore Polder and Dunes SAC (Site Code 000700) – located circa 5.5Km from the site investigation area.

### **Public Consultation**

Public notices concerning this application were published in the "Irish Independent" on 26/01/2018, the (Gorey) "Guardian" on 30/01/2018 and in the "Wicklow People" on 31/01/2018. The public display documents were made available in both Arklow and Gorey Garda Stations for the required period of twenty one (21) working days (26/01/2018 to 23/02/2018).

Four (4) public submissions were received on foot of the public consultation. The main issues raised in the public submissions were:

- Impacts on fishing
- Impacts on aquaculture
- Lack of clarity on proposal
- Lack of consultation with stakeholders.

#### **Prescribed Bodies Consultation:**

Observations on the project were received from this Department's Water and Marine Advisory Unit, the Development Applications Unit of DCHG (Nature Conservation and Underwater Archaeology), Aquaculture and Foreshore Management Division of DAFM, Marine Institute, Inland Fisheries Ireland, Sea Fisheries Protection Authority, Marine Survey Office, and Wexford County Council.

There were no objections in principle to the proposed site investigations.

#### **Issues Considered**

The following documents were considered:

- Foreshore Licence Application and supporting documentation.
- Written submissions from the Water and Marine Advisory Unit of DHPLG, the Development Applications Unit of DCHG (Nature Conservation and Underwater Archaeology), Aquaculture and Foreshore Management Division of DAFM, Marine Institute, Inland Fisheries Ireland, Sea Fisheries Protection Authority, Marine Survey Office and Wexford County Council.
- The applicant's responses to the Prescribed Body submissions.
- The public submissions received
- The applicant's responses to the public submissions

#### **MLVC Conclusions**

On the basis of the information provided by the applicant, the observations provided by the Prescribed Bodies as listed above, the MLVC concludes that, subject to compliance with the specific conditions set out below, the proposed works would not have a significant negative impact on navigation, fishing, the marine environment or protected species, would not impact on other legitimate

uses or users of the foreshore area in question and would not have a significant effect on the qualifying interests of the adjacent Natura 2000 sites. The MLVC, therefore, recommends that a licence be granted.

#### **Proposed Licence Conditions**

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 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.
4. The Licensee shall notify the Department of Housing, Planning and Local Government at least 14 days in advance of the commencement of the works on the foreshore.
5. During the course of the Site Investigation/Survey operations the Licensee shall ensure that all necessary precautions are put in place to protect the public in accordance with relevant Health and Safety Legislation.
6. During the course of the Site Investigation/Survey operations the Licensee shall ensure that existing public access arrangements to the general foreshore area shall not be 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.
7. During the course of the Site Investigation/Survey operations the Licensee shall ensure that procedures are adopted to ensure that the operations are not injurious to fishing, navigation, adjacent lands or the public interest.
8. All vessels/floating plant shall have appropriate certification from the Marine Survey Office.
9. On completion of the Site Investigation/Survey the Licensee shall 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.

10. Marine notice, lighting and markings shall be carried out in consultation with the Maritime Safety Directorate, Department of Tourism, Transport and Sport, Leeson Lane, Dublin2.
11. All relevant site investigations and marine surveys shall 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.
12. The Licensee shall 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.
13. The Licensee shall engage in full consultation with the Wexford Harbour Authority.
14. No refuelling of equipment, machinery or plant shall take place on the foreshore.
15. No storage of machinery or plant shall take place on the foreshore.
16. The Licensee shall carry out an Underwater Archaeological Impact Assessment (UAIA) in the format laid out by the Underwater Archaeology Unit of the Department of Culture, Heritage & the Gaeltacht.
17. The Licensee shall engage the services of a suitably qualified and experienced maritime or underwater archaeologist to carry out the assessment under the required licences. A detailed method statement shall accompany the licence applications.
18. The Licensee shall submit the UAIA Report to the National Monuments Service for review and further response in advance of the site investigation works commencing.