

Pat O'Neill - (DECLG)

SE17

From: McGabhann, Declan <Declan.McGabhann@sfpa.ie>
Sent: 16 November 2012 10:01
To: Pat O'Neill - (DECLG)
Subject: RE: CETO Ireland dite investigation application - File ref. MS 51/11/238

Hello Pat,

with regards to the above application for a site investigation, please note for your file that the SFPA has no objection to the investigation proceeding.

Kind regards,

Declan

Sea Fisheries Protection Authority
Howth Fisheries Harbour Centre
West Pier
Howth
Co. Dublin

Tel: +353 1 8321910
Fax: +353 1 832 1911
Mobile: +353 87 9294673

From: Pat O'Neill - (DECLG) [<mailto:Pat.ONeill@environ.ie>]
Sent: 05 November 2012 15:28
To: McGabhann, Declan
Subject: FW: CETO Ireland dite investigation application - File ref. MS 51/11/238

Declan,

Further to my previous e-mail of 12/10/2012 please let me have your observations on this case as soon as possible.

Regards

Pat

From: Pat O'Neill - (DECLG)
Sent: 12 October 2012 14:57
To: declan.mcgabhann@sfpa.ie
Subject: CETO Ireland dite investigation application - File ref. MS 51/11/238

TERRY

Pat O'Neill - (DECLG)

From: Terry McMahon <MCMAHON@marine.ie>
Sent: 18 June 2012 17:16
To: Pat O'Neill - (DECLG)
Subject: Foreshore Licence Application: CETO Wave Energy Ireland Ltd - Site Investigations, Co. Clare (MS51/11/238)

Pat

I refer to your correspondence of 8th June 2012 in connection with the above application (MS51/11/238).

CETO Wave Energy Ireland Ltd has made an application for a licence to carry out Site Investigations in an area of the coast of County Clare as shown on Drawing No: IBE0506-01 Rev 1 that accompanied the application.

The reason for the proposed investigations is to collect the necessary data to and information to determine the suitability of the area as location for the development of an electricity generation station using renewable wave energy. The data and information collected would be used to inform the project siting and design and also to collect data for derivation of an environmental baseline as part of an Environmental Impact Assessment.

The proposed works include geophysical, archaeological and ecological surveys. The geophysical studies would include the use of multibeam echosounder, sidescan sonar, sub-bottom profiler and magnetometer. These are standard techniques used globally in such investigations and these techniques have been used in similar investigations in Irish waters. The surveys are non-intrusive and will not have a direct impact on the water column or seabed in the investigation area. The survey methods, however, involve the use of sound sources which the potential to impact on marine mammals. It is noted the applicants have committed to full implementation of the NPWS "Code of Practice for the Protection of Marine Mammals during Acoustic Seafloor Surveys in Irish Coastal Waters" and it is recommended that this should be a Condition of any permit that may issue.

The archaeological and ecological investigation would include the use of drop down video surveys, sediment grab sampling, surface visual observations and passive acoustic monitoring to detect and monitor cetacean vocalisations. It is noted the applicants propose to consult with the Underwater Archaeology Unit of the DAHG in advance of any surveys and it is recommended that archaeological investigations should comply fully with the requirements of the Underwater Archaeology Unit.

It is also intended to deploy a wave monitoring buoy and acoustic current meter for a period of 1 – 2 years at one or both the locations shown on Drawing No: IBE0506-01 Rev 1. It is recommended that the deployment of the monitoring buoy should comply with the requirements of the Commissioners of Irish Light with respect to lighting, marking and mooring.

It is proposed to begin the surveys in Spring 2013 and it is anticipated that the geophysical, archaeological and ecological surveys would be completed within a period of approximately 2 months, depending on weather conditions and other constraints.

Considering the nature and scale of the proposed Site Investigations the Marine Institute has no objections to a permit being issued.

Terry

Dr. Terry McMahon
Section Manager
Marine Environment and Food Safety Services
Marine Institute
80 Harcourt Street
Dublin 2

Tel: + 353 1 4766504
Fax: + 353 1 4784988
e-mail: terry.mcmahon@marine.ie

CLARE
Co. Co.



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

24th July, 2012


Mr. Patrick O'Neill
Foreshore Unit
Environment, Community and Local Government
Newtown Road
Wexford

Re: Foreshore Licence Application by CETO Wave Energy Ireland Ltd. in respect of Site Investigation works between Freagh Point and Spanish Point, County Clare

A Chara

Having regard to the above points and the documentation submitted with the foreshore application by CETO Weave Energy Ireland Ltd., I would have no objection or comments to the granting of such a licence.

Mise le Meas,


Padraig Malone
Staff Officer
Planning and Enterprise Development

Dept. of Environment, Heritage
& Local Government
25 JUL 2012
Wexford

Planáil agus Forbairt Fiontraíochta
Áras Contae an Chláir, Bothar Nua, Inis, Co. an Chláir

Planning and Enterprise Development
Áras Contae an Chláir, New Road, Ennis, Co. Clare

☎: 065 6846232 F: 065 6892071 ✉: planoff@clarecoco.ie 🌐: www.clarecoco.ie

Fostóir comhionannas deiseanna is ea
Comhairle Contae an Chláir,
a chuireann fáilte roimh
iarratais ón bpobal i gcoitinne



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Comhshaoil, Oidhreacht agus Rialtas Áitiúil
Environment, Heritage and Local Government

08/02/2013

File ref. MS 51/11/238

**Engineering Report: Foreshore Licence Application for Site Investigation at
Liscannor Bay and Mal Bay, Co. Clare**

Applicant: CETO Wave Energy Ireland, Subsidiary of Carnegie Wave Energy Ltd.

Pat O Neill, Foreshore Unit.

Brief description of works

This Foreshore Application refers to the deployment of two number combined wave and current monitoring buoys, the undertaking of a hydrographic survey, geotechnical survey, archaeological survey and ecological survey.

The wave and current monitoring buoys will be deployed for a minimum period of 12 months and a maximum period of 24 months.

The hydrographic, archaeological and ecological surveys will be completed in 2013 and will have a duration of up to 2 months.

Licence Map

Two maps both titled "Foreshore Licence Map" and both with the same drawing no. IBE0506-01 Rev.1 were submitted. Both maps show the same area but on different background maps, the first on the black and white Ordnance Survey Map and the second on the colour Admiralty Chart. The first one on the black and white Ordnance Survey Map should be used as the licence map

Recommendation

As this application relates mainly to surveys and will have little impact on the foreshore I have no objection to granting permission to CETO Wave Energy Ireland under to Section 3 of the Foreshore Act subject to the following recommended conditions:

1. Advance notification should be given to the Department of at least 2 weeks prior to the deployment of the wave and current monitoring buoys and any associated marker buoy and/or commencement of the hydrographic survey.
2. Marine notice, lighting and markings to be carried out in consultation with the Department of Transport.
3. All hydrographic surveying to comply with DoEHLG's *Code of Practice for the Protection of Marine Mammals during Acoustic Seafloor Surveys in Irish Waters*.

4. All vessels/floating plant to have appropriate certification from the Marine Survey office.
5. The wave and current monitoring buoys and any associated marker buoys must comply with the CIL standard navigation safety requirement with regard to lighting, positioning, and mooring.
6. On completion of the works the licensee shall ensure that all equipment and the marker buoy are removed and the foreshore is reinstated to its original condition.

A handwritten signature in blue ink, appearing to read "Barry Mc Donald". The signature is written in a cursive style with a large initial 'B' and 'M'.

Barry Mc Donald M.Eng. M.I.E.I.

As per email.

14/8/2012

DAFM



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

Mr Pat O'Neill
Foreshore Unit
DoECLG
Newtown Road
Wexford

14 August 2012

Your Ref: MS51 / 11 / 238

Foreshore Licence Application by CETO wave Energy Ireland Ltd in respect of site investigation works between Freagh Point and Spanish Point, Co. Clare

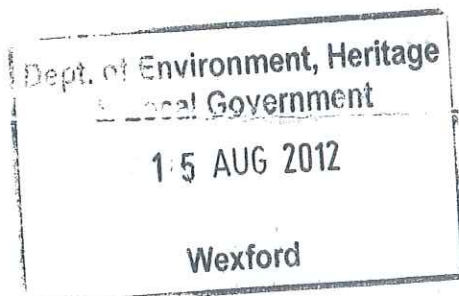
Dear Mr Hickey

I refer to your request for comments from the Department of Agriculture, Food and the Marine (DAFM) relating to the above mentioned foreshore application.

Having consulted our technical advisors DAFM is satisfied that, given the nature and scale of the proposed activity, that it will not have a significant impact on the marine environment in the area and will not interfere with other legitimate uses of the area including aquaculture and fisheries

Yours sincerely

Carol Collins
Aquaculture & Foreshore Management Division
Department of Agriculture, Fisheries and Food
National Seafood Centre
Clonakilty
Co Cork



SEAI



ÚDARÁS FUINNIMH
INMHARTHANA
NA HEIREANN

Dept. of Environment, Heritage
& Local Government
3 1 AUG 2012
Wexford

Pat O'Neill
Foreshore Unit
Department of Environment, Community and Local Government
Newtown Rd
Wexford

27th August 2012

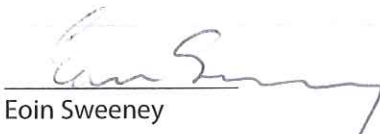
Re: Foreshore licence application by CETO Wave Energy Ireland Ltd. – Public Consultation response

Dear Pat,

The Sustainable Energy Authority of Ireland (SEAI) welcomes the application from CETO Wave Energy Ireland Ltd. in respect of site investigation works between Freagh Point and Spanish Point, Co. Clare. The technology proposed by CETO Wave Ireland Ltd. has to date demonstrated itself as promising and of viable nature. CETO is following a reasonable approach to their project and appear committed to the overall development of the ocean energy industry in Ireland.

We look forward to future engagement with CETO and working with them to develop wave energy projects in Ireland.

Yours sincerely,


Eoin Sweeney
Head, Ocean Energy Development Unit

Dept. of Environment, Heritage
& Local Government
0 3 SEP 2012
Wexford



MARINE LICENCE VETTING COMMITTEE:

Re: DEHLG file ref MS51/11/238 Foreshore licence application by CETO Wave Energy Ireland Ltd in respect of site investigation works between Freagh Point and Spanish Point, Co. Clare

Request for observations from Mr. Patrick O' Neill (DEHLG) dated 8.6.2012

This application is in respect of site investigations. Methods proposed include

1. *"Indicative hydrographic equipment would include multibeam echosounder, side scan sonar, sub-bottom profiling using seismic refraction (sound source and streamer) and magnetometer.*
2. *Conduct ecological and archaeological surveys. Survey techniques would include drop down video surveys, sediment grab sampling, surface visual observations (for example marine mammal observations) and passive acoustic monitoring to detect and monitor cetacean (whale, dolphin and porpoise) vocalisations.*
3. *Deploy a combined wave and current metocean monitoring buoy at one or both of the two locations marked on the attached chart subject to the analysis of geophysical survey data".*

There are no issues in regard to Items 2 and 3.

Item 1 includes seismic surveying and some detail would be required in the application in regard to the methods - in regard to use of 2D or 3D methods, length of streamers, amount of array envisaged, anticipated sound level emissions and dissipation of same, timing and duration, mitigation proposals for the seismic surveying in context of marine mammals and of fish species, and of human population engaged in diving etc.

The site is immediately adjacent to a SAC and a screening document, at a minimum, would be required for the licencing authority.

The application indicates that spawning areas of two fish species are adjacent to the application area. In addition, the area is a valuable sea angling ground, both for shore angling, charter boat hire and for launching small boats from the various slipways e.g. Spanish Point, Quilty. Marine mammal watching is also actively pursued in the area of licence application. These issues must be a consideration in planning for any seismic survey, especially in regard to sound emissions and timing.

The area for which licence is applied extends from shoreline to a maximum distance of 3 km.

I believe that a *Natura* screening document is required with this application for licence to undertake site investigations

I believe detailed information is required in regard to aspects of the seismic survey process, as indicated above, prior to licence issuing.

James J. King, Michael Fitzsimons
Inland Fisheries Ireland

18.7.2012

CC Terry Mc Mahon MLVC; Mr Declan Mc Gabhann SFPA

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(2)

MARINE LICENCE VETTING COMMITTEE:

Re: DEHLG file ref MS51/11/238 Foreshore licence application by CETO Wave Energy Ireland Ltd in respect of site investigation works between Freagh Point and Spanish Point, Co. Clare

Follow up note to Mr. Patrick O' Neill (DECLG) arising from responses of applicant (dated 20.12.2012) to IFI note of 18.7.2012

Additional information was supplied by the applicant to DECLG, in response to IFI queries in the IFI note submitted in 18.7.2012. The additional information related primarily to the sound intensity levels anticipated to impact on the aquatic environment, the make-up of hydrophone streamers etc. This information is helpful. It is clear that the applicants are aware of the potential for adverse impact of sound emission to the aquatic environment. IFI's concern here is in regard to fish species and it is known from scientific studies in laboratory and field conditions that sound discharges can impact on fish through mortality, physiological impact or behavioural impact.

There is an onus in all projects to take precautions etc in regard to all elements covered in EIS documentation. Such care is not confined to species and habitats that are listed within Protected Sites. While much attention is given to marine mammals and potential for sound discharges to impact on these creatures, it is important that attention is also given to fish species that may be impacted.

The additional information provided by Carnegie in its note to Foreshore Unit of 20.12.2012 does indicate a limited field of activity in which air gun will be used and also indicates a limited extent of transects. The documentation provided also indicates a familiarity with potential for sound to impact on biota in regard to Permanent and Temporary Threshold Shifts (PTS and TTS) in the hearing of marine organisms.

The mitigation measures proposed in regard to soft-start, minimising sound source levels, varying frequencies etc are standard and are a positive approach. Compliance with Code for Marine Mammals involves a considerable degree of direct visual observation by a Marine Mammal Observer (MMO) - with visual observation eliciting a shut-down of a sound-emitting transect. Unfortunately, such a visualisation does not operate for fish and reference to the Marine Mammals Code of Practise is of limited value to fish species.

I would reiterate that, in IFI's experience, a high degree of use is made of the marine angling resource in the area to be impacted - via shore angling, charter boat angling and small-boat fishing (where anglers launch own boats from small local piers). The RPS Carnegie CETO Environmental Scoping document of June 2011 provides a commercial fisheries synopsis of the 15 - km area surrounding the CETO test area (p 20 -21 of Scoping document). The map provided points to extensive areas that are bottom -fished for gadoids and spurdog as well as areas trawled for *Nephrops* and for whiting. These species and the commercial fishing activities will be potentially impacted during the survey. The RPS report and comment I the letter of Carnegie of 20.12.2012 do not appear

to be in concurrence in regard to the extent of use of the proposed 15 km envelope for fishing activity.

I would reiterate the importance of receiving guidance from the Sea Fisheries Protection Agency (SFPA) in regard to optimising timing of proposed sound-emitting surveys in order to minimise adverse impacts on spawning areas and on post-larval and juvenile fish - the life stages most likely to suffer adverse impact from noise discharge and dispersal in the water column. Any guidance received from SFPA should be included in licence conditions.

James J. King, IFI R&D and Marine Licence Vetting Committee

CC Dr. Terry Mc Mahon; Mr. Declan Mc Gabhann

MSO

Marine Survey Office,
Abbey View House
Ballyshannon,
Donegal,
Ireland.

Tel: 353-071-9822400

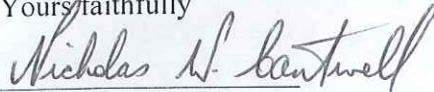
| | |
|---------------|---|
| Memorandum to | EH & LG Foreshore Division |
| Attention | Patrick O'Neill |
| Fax No | 6199408 |
| From | Nick Cantwell |
| No of Pages | 1 |
| Date | 12 June 2012 |
| Reference | MS51/11/238 Site Investigation CETO wave energy works Spanish Point. Co. Clare. |
| CC | |

Patrick

- This office has no objections from a navigational viewpoint to the above application as all normal provisions / conditions have been addressed in section of the application to the satisfaction of the Marine Survey Office.

Department of Environment, Heritage
& Local Government
20 JUN 2012
Wexford

Yours faithfully



N.W.Cantwell (Capt.)

Nautical Surveyor

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An Roinn
Ealaíon, Oidhreachta agus Gaeltachta
Department of
Arts, Heritage and the Gaeltacht

ARCH

24/07/2012

Your Ref: MS 51/11/238
Our Ref: M00042/2012

Foreshore Unit
Department of The Environment,
Community and Local Government
Newtown Road
Wexford

Re: Foreshore Licence Application MS/51/11/238 by CETO Wave Energy Ltd. for site investigation works between Freagh Point and Spanish Point, Co. Clare.

A Chara,

I refer to your notification with respect to the above proposed development application, please find hereunder underwater archaeological observations and recommendations of the Department of Arts, Heritage and the Gaeltacht, for consideration by your Authority.

It is noted that CETO Wave Energy Ltd. intend to carry out an underwater archaeological assessment as part of the investigation works. The Department of Arts, Heritage and the Gaeltacht has no objection to the proposed investigation works proceeding once the requirement for the underwater archaeological assessment, as detailed below, is included as a condition of the foreshore licence. Once the assessment has been completed, the results in report format shall be forwarded to the Department of Arts, Heritage and the Gaeltacht for comment. The assessment shall take the following format:

Archaeological desktop study

A suitably qualified underwater archaeologist shall be engaged to carry out the archaeological study and assessment. A detailed desktop study shall be carried out *in advance* so as to inform on the potential of the areas proposed for investigation. This shall include consultation with the Shipwreck Inventory of Ireland Archive for the area, held by the Archive Unit in the National Monuments Service, Topographical files held in the National Museum of Ireland and any relevant local journalistic, archaeological or historical sources for the area. It shall also include looking at cartographic material for the areas and reviewing any previously undertaken assessment for the general area (e.g. archaeological, geophysical, hydrographic, etc.) to assess past results and inform on the current proposed application.

Geophysical survey for archaeological purposes

This survey should be carried out to the required resolution necessary to detect underwater archaeological remains. The specifications for same can be obtained from the Underwater Archaeology Unit in this Department. The resultant geophysical results shall be interpreted by a suitably qualified archaeologist (or archaeo-geophysicist) with experience in the interpretation of such marine geophysical survey results. Again, details for this are available from the Underwater Archaeological Unit in the Department of Arts, Heritage and the Gaeltacht.

Underwater archaeological inspection/observations

The geophysical survey shall inform on the locations of the propose grab samples so as to avoid any negative impact on potential underwater archaeological sites/features/artefacts. While it is acceptable at this preliminary stage for the archaeologist to review the underwater video results, it shall be noted that all identified archaeological anomalies from the geophysical survey may be required to be archaeologically diver inspected if they cannot be avoided by future proposed works.

Grab samples

Results of the grab samples, once areas for such sampling have been indentified as not impacting cultural heritage, shall be made available to the archaeologist for their information to be included in the resultant archaeological assessment report.

All archaeological work shall be carried out by a suitably qualified archaeologist and shall be subject to underwater archaeological licensing requirements. Thus a dive survey and metal detection licence application with attendant detailed method statements shall be forwarded to the Licensing Section, National Monuments Service, Department of Arts, Heritage and the Gaeltacht, Customs House, Dublin 1.

Kindly forward any further information received or in the event of a decision being made a copy of same should be referred to the following address:

**The Manager,
Development Applications Unit (DAU),
Department of Arts, Heritage and the Gaeltacht,
Newtown Road,
Wexford**

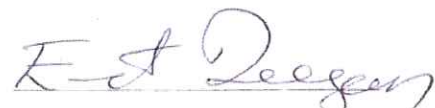
Alternatively, documentation associated with the above can be referred electronically to the DAU at the following address:

manager.dau@ahg.gov.ie

In addition, please acknowledge receipt of these observations by return.

"please note the change to e-mail addresses, which take effect from 12:00pm on Monday, 15th August 2011"

Is mise le meas,



**Emmet Deegan,
Development Applications Unit
Tel: (053) 911 7384**



An Roinn
Ealaíon, Oidhreachta agus Gaeltachta
Department of
Arts, Heritage and the Gaeltacht

NATURE

17th July 2012

Your Ref: MS 51/11/238

Our Ref: M00042/2012

Foreshore Unit
Department of The Environment,
Community and Local Government
Newtown Road
Wexford

Re: Foreshore Licence Application MS/51/11/238 by CETO Wave Energy Ltd. for site investigation works between Freagh Point and Spanish Point, Co. Clare.

A Chara,

I refer to your notification in relation to the above Foreshore Licence application. Outlined below are the nature conservation recommendations/observations of the Department of Arts, Heritage and the Gaeltacht.

The applicant has noted that they intend to utilise "Code of Practice for the protection of marine mammals during acoustic seafloor surveys in Irish Waters" generated by the National Parks and Wildlife Service (available to download on <http://www.npws.ie/Marine/BestPracticeGuidelines/>).

The applicant should report the operations undertaken under this Code of Practice to offshore@ahg.gov.ie within one month of the completion of operations.

Kindly forward a copy of any further information received and in the event of a decision being made please forward same to the address below:

The Manager
Development Applications Unit
Department of Arts, Heritage and the Gaeltacht
Newtown Road
Wexford

Alternatively, documentation associated with the above can be referred electronically to the DAU at the following address:

manager.dau@ahg.gov.ie

In addition, please acknowledge receipt of this letter (as required under the Planning and Development Regulations, 2001) and forward the relevant receipt to the above address.

Mise le meas,

A handwritten signature in blue ink, appearing to read "Simon Dolan", written over a horizontal line.

Simon Dolan
Development Applications Unit
Ph: 053 9117377

Fo Beirn

Pat O'Neill - (DECLG)

From: Francis X O Beirn <fobeirn@marine.ie>
Sent: 18 June 2012 16:01
To: Pat O'Neill - (DECLG)
Cc: Terry McMahon
Subject: Foreshore Licence: CETO Site Investigation application - File ref. MS 51/11/238

Dear Pat,

I have read through the CETO site investigation application and supporting documentation and consider the application complete. I have no objection to issuing a site investigation licence for the proposed surveying.

All the best

Francis

Francis O'Beirn
Benthos Ecology
Marine Institute
Rinville, Oranmore
Galway, Ireland

ph: 353 (0)91 387250
mobile: 353 (0)87 9683094

From: Pat O'Neill - (DECLG) [mailto:Pat.ONeill@environ.ie]
Sent: 14 June 2012 11:41
To: Francis X O Beirn; Karl Brady - (DAHG); jimmy.king@fisheriesireland.ie
Subject: Foreshore Licence: CETO Site Investigation application - File ref. MS 51/11/238

Gentlemen,

Dr. McMahon has requested that I send you a copy of the application for consideration in your capacities as MLVC members.

I will send you each a hard copy (I do not have any spare CDs) of the application in today's post with a copy of this e-mail.

Regards
Pat

This message contains confidential information and is intended only for the individual(s) named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission.

Is don té atá ainmithe an teachtaireacht seo agus inte tá eolas rúnda. Muna tú an té atá ainmithe níor chóir duit an ríomhphost seo a eis-sheacada, scaipeadh ná a choipáil. Má fuir tú an ríomhphost seo tré thimpist cur a té a sheol é ar an eolas láthaireach tré ríomhphost agus scríos é ó do choras féin. Ní féidir a chintíú go bhfuil ríomhphost gan lucht ná sábhailte de bharr módh seachadadh na ríomhphost. D'fhéadfach sé go ndéanfaí tascradh ar an eolas, go mbeadh sé curtha as rocht, go gcaifí nó go scríosfí é, go mbeadh moill ar, é easnamhach nó go mbeadh víreas curtha leis le linn a sheachadadh, Dá bhri sin ní glacann an té a sheol le aon mhíleán maidir le easnamh nó butúin in ábhar na teachtaireachta a tharlaíonn le linn a sheachadadh.