

REPORT OF THE MARINE LICENCE VETTING COMMITTEE (MLVC)

on

**FORESHORE LICENCE APPLICATION FOR SITE INVESTIGATION WORKS
BETWEEN FREAGH POINT AND SPANISH POINT, CO. CLARE**

CETO WAVE ENERGY IRELAND LTD

**Dr. Terry McMahon
Chair, Marine Licence Vetting Committee
06 March 2013**

CETO Wave Energy Ireland Ltd– Foreshore Application for site investigations between Freagh Point and Spanish Point, Co. Clare (MS51/11/238).

Project Description:

In June 2012 CETO Wave Energy Ireland Ltd submitted an application for a foreshore licence to facilitate site investigation works in an area between Freagh Point and Spanish Point, Co. Clare as shown on Drawing No. IBE0506-01 Rev.1 that accompanied the application.

The proposed works include geophysical, archaeological and ecological surveys. The geophysical surveys would include the use of multibeam echosounder, sidescan sonar, sub-bottom profiler and magnetometer. The archaeological and ecological investigations 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 anticipated that the surveys would be completed within a 2 month period. It is also intended to deploy a wave monitoring buoy and an acoustic current meter for a period of 1 – 2 years at one or both of the locations shown on Drawing No. IBE0506-01 Rev. 1.

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

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

The project is not located within a Natura 2000 site but is located adjacent to the Carrowmore Point to Spanish Point and Islands SAC (Site Code 001021) and the Mid-Clare Coast SPA (Site Code 004182).

Public Consultation

A public notice concerning this application was published in the “*Irish Times*” on 2nd August 2012 and the “*Clare Champion*” on 3rd August 2012 and the relevant documents made available for inspection at Ennistymon Garda Station from 2nd August – 3rd September 2012.

No representations or observations were received during the public notice period

State Bodies Consultation:

Observations on the project were received from Engineering Division of DECLG, The Development Applications Unit of DAHG (Nature Conservation and Underwater Archaeology), Aquaculture and Foreshore Management Division of DAFM, Marine Institute, Inland Fisheries Ireland, Sea Fisheries Protection Authority, Marine Survey Office, Sustainable Energy Authority of Ireland and Clare County Council.

There were no objections to the proposed site investigations.

MLVC Conclusions

On the basis of the information provided by the applicant and the observations provided by the State Bodies list^a 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 or the marine environment, 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. The MLVC, therefore, recommends that a permit be issued.

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 notify the Department of the Environment, Community and Local Government at least 14 days in advance of the commencement of the works on the foreshore.
3. The Licensee shall arrange the publication of a local marine notice giving general description of operations and approximate dates of commencement and completion.
4. The Licensee shall ensure that all vessels/floating plant have appropriate certification from the Marine Survey Office.
5. The Licensee shall ensure that deployment of all scientific instrumentation complies with the Commissioners of Irish Lights standard navigational safety requirements with regard to lighting, marking, positioning and mooring.
6. The Licensee shall be fully compliant with the "Code of Practice for the Protection of Marine Mammals during Acoustic Seafloor Surveys in Irish Waters" (August,2007)available to download at:
<http://www.npws.ie/media/npws/publications/marine/media,5176,en.pdf>

7. Full reporting on Marine Mammal Observer operations and mitigation undertaken shall be made to the Department of the Arts, Heritage and the Gaeltacht (offshore@ahg.gov.ie).
8. Prior to the commencement of the works the Licensee shall engage the services of a suitably qualified underwater archaeologist to carry out an archaeological survey and assessment. The archaeologist shall carry out any relevant documentary research in advance so as to inform on the known and potential cultural heritage. This shall include consulting with the Shipwreck Inventory Archive and/or Ports and Harbours Archive held by the Archive Unit in the National Monuments Service, IFOMAR data held by the Geological Survey of Ireland, local sources and Topographical files held in the National Museum of Ireland.
9. The Licensee shall ensure that the geophysical survey is undertaken to the specifications for archaeological investigations required by the Underwater Archaeology Unit of the Department of Arts, Heritage and the Gaeltacht and the results interpreted by a suitably qualified archaeo-geophysicist.
10. The results of the geophysical surveys shall inform the location of proposed grab samples so as to avoid negative impact on potential underwater archaeological sites / features / artefacts. All archaeological anomalies identified during the geophysical survey may be required to be archaeologically inspected if they cannot be avoided for future works. All dive surveys shall be combined with a hand held metal detection survey
11. All Archaeological surveys shall be licensed under the National Monuments Act 1930-2004 and the licence applications shall be accompanied by a detailed method statement
12. Having completed the Archaeological surveys, the archaeologist shall submit a written report to the Underwater Archaeology Unit of the National Monuments Section of the Department of Arts, Heritage and the Gaeltacht
13. On completion of the works on the foreshore the Licensee shall ensure that all equipment and materials are removed from the foreshore.