

REPORT OF THE MARINE LICENCE VETTING COMMITTEE (MLVC)

ON

**FORESHORE LICENCE APPLICATION FOR A MARINE SURVEY IN
RESPECT OF A PROPOSED FIBRE OPTIC CABLE FROM LONG ISLAND
LANDFALL AT KILLALA BAY, CO. MAYO TO TRONDHEIM, NORWAY**

**Dr. Terry McMahon
Chair, Marine Licence Vetting Committee
02 December 2016**

America Europe Connect Ltd - Foreshore Licence Application for marine site investigation survey in respect of proposed fibre optic cable from landfall at Killala Bay, Co. Mayo to Trondheim, Norway (FS 6598)

Background

America Europe Connect Ltd has made an application for a foreshore licence to facilitate geophysical and geotechnical marine site investigations on the foreshore along a survey route in an area off the north coast of Mayo, including Killala Bay. The proposed survey route is shown in

- Drawing No. 1294-101, “Foreshore Licence Map 1 Site Investigations Route Offshore, Rev2, dated 8/07/2016
- Drawing No. 1294-102 “Foreshore Licence Map 2 Site Investigations Route Inshore, Rev1, dated 18/04/2016
- Drawing Number 1294-103 “Site Location Map 1 Landfall Option at Ross Beach, Killala”, dated 15/03/2016
- Drawing Number 1294-104 “Site Location Map 2 Landfall Option at Enniscrone” dated 15/03/2016

The purpose of the proposed site investigations is to collect the necessary data to inform the final design and route selection for a proposed fibre optic cable, “Celtic Norse”, extending from landfall in Killala Bay to Trondheim in Norway, with a connection to Iceland.

The proposed geophysical survey includes the collection of bathymetric, sidescan sonar, sub-bottom profiler and magnetometer data along the survey route. The geotechnical survey includes the collection of seabed samples using corers and grabs, bar probing in shallow water (<3m depth) and Cone Penetration Tests along the survey route. The proposed survey includes options for landfall at either Ross Beach or Enniscrone.

The overall scope of the geotechnical works involves:

- 3 No. Trial Pits on the beach at Enniscrone
- 10 No. bar probes on the beach at Enniscrone
- 10 No. bar probes from the low water mark to the 3m depth contour
- 13 No. Grab samples from the 3m depth contour to the 15m depth contour
- 8No. Gravity Cores or Cone Penetration Tests from the 15m depth contour to the limit 12 nautical mile limit.

There is no requirement for any site investigations or intertidal survey works at Ross Beach

It is anticipated that the survey works would be completed within 2 weeks, subject to weather conditions.

It is noted that a foreshore licence to carry out a similar site investigation survey in this area was granted in May 2014 (Foreshore Licence Ref No. FS 006280) as part of the development of a fibre optic cable system, extending from Long Island in the USA to Ireland, with landfall at Ross village in Killala Bay. This cable system was installed in 2015 (Foreshore Licence Ref No. FS006492)

The development is not of a class that would require the submission of an EIS.

The near shore elements of the marine survey are within the Killala Bay / Moy Estuary SAC (Site code 000458) and the Killala Bay / Moy Estuary SPA (Site Code 004036). The remainder of the proposed marine survey activities will not occur within any currently designated Natura 2000 sites.

Issues Considered

The following documents were considered:

- Foreshore Licence Application submitted by America Europe Connect Ltd
- Natura Impact Statement (NIS) prepared by ALTEMAR Consultants, dated 11th March 2016
- Written submissions from DHPLG (Water Services Advisor), Marine Survey Office, Inland Fisheries Ireland, Marine Institute, Development Applications Unit, DAHRRG (Underwater Archaeology, Nature Conservation) , DAFM (Aquaculture and Foreshore Management Division) Sea Fisheries Protection Authority.

There were no objections raised.

A public notice concerning this application was published in the "Irish Independent" on 8th August 2016 and the "Western People" on 8th August 2016. The relevant documents were on display at Ballina Garda Station, Ballina, Co Mayo, for the required period of 21 working days and were also available on the DHPLG Web site.

No submissions were received during the public consultation period.

Conclusions and Recommendations

The MLVC considers that, subject to compliance with the specific conditions set out below, the proposed marine site investigation survey would not have a significant effect on the marine environment or sensitive marine species and it is recommended that a permit be issued.

Proposed Specific 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 Housing, Planning, Community and Local Government at least 14 days in advance of the commencement of the works on the foreshore.
3. In order to ensure the preservation of underwater archaeological sites and features the Licensee shall engage the services of a suitably qualified archaeologist to monitor all seabed disturbance works. The archaeologist shall be licensed under the National Monuments Acts 1930-2004.
4. Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The Licensee shall be advised by the National Monuments Service of the Department of the Arts, Heritage, Regional, Rural and Gaeltacht Affairs with regard to any necessary mitigating action (e.g. preservation *in situ*, dive and/or geophysical survey or excavation). The licensee shall facilitate the archaeologist in recording any material found.
5. The National Monuments Service of the Department of the Arts, Heritage, Regional, Rural and Gaeltacht Affairs shall be furnished with a report describing the results of the monitoring.
6. The Licensee shall arrange the publication of a Marine Notice through the Maritime Safety Directorate giving general description of operations and approximate dates of commencement and completion of the works.
7. The Licensee shall furnish the names/registered number of all vessels involved in the operation to the Marine Survey Office in Dublin to ensure compliance with respect to Irish Load line and other relevant vessel certification.
8. During the course of the near shore survey operations works the Licensee shall ensure that where relevant:
 - 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 plant or materials used in connection with the marine survey ,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 the Housing, Planning, Community and Local Government;

- c. procedures are adopted to ensure that the survey operations and any works associated therewith are not injurious to fishing, navigation, adjacent lands or the public interest;
9. The Licensee shall be fully compliant with the requirements set out in the NPWS (2014) “Guidance to Manage the Risk to Marine Mammals from Man-made Sound sources in Irish Waters”.
 10. The shall ensure that all mitigation measures set out in the Natura Impact Statement, prepared by ALTEMAR Consultants , dated 11th March 2016 are implemented in full.
 11. On completion of the works the licensee shall ensure that all equipment and materials are removed and the foreshore is reinstated to its original condition