An Roinn Tithíochta,
Pleanála agus Rialtais Áitiúil
Department of Housing,
Planning and Local Government

For Office Use

Ref. No. FS 7016

Application date: 6/01/2020

Date of receipt. 7/01/2020

Date Validated: 10/01/2020

APPLICATION FOR A LEASE/LICENCE/CONSENT UNDER THE FORESHORE ACT 1933 (AS AMENDED)

- **Applications for Offshore renewable energy (ORE) projects should use an ORE specific form.**
- **Please complete the form electronically. Type details in the boxes provided, space will expand as you type.**
- **The enclosures checklist should also be completed**
- **Tá an leagan Gaeilge den fhoirm seo ar fáil ar iarratas.**

BEFORE FILLING OUT THIS FORM PLEASE READ THE DECLARATION AND CONSENT ON PAGE 9:

IT IS IMPORTANT TO NOTE THAT A CHANGE IN APPLICANT NAME WILL REQUIRE A NEW APPLICATION.

DATA PROTECTION

The Office of the Data Protection Commissioner states that the sending of marketing material to individuals without consent may result in action by the Data Protection Commissioner against the sender including prosecution. It is the responsibility of persons or entities wishing to use any personal data on an application form for direct marking purposes to be satisfied that that they may do so legitimately under the requirements of the Data Protection Acts 1998 and 2003 and with regard to General Data Protection Regulation (2016/679) requirements.

Applicant Name and Address:

Full Name of Applicant (not Agent): Mr Kevin Whyte.
Company/Organisation: DeepSea Fibre Networks Ltd.
Address: 15 The Seapoint Building, Clontarf, Dublin 3.
Eircode: D03 E240

Applicant Contact Details:

Phone No: +353 (0) 1 853 65 00
E-mail address: kwhyte@mdmeng.ie

Agent (if any) Address/Contact Details:

Person/Agent acting on behalf of the Applicant: Mr. Rory Ryan
Company: McMahon Design & Management Ltd.
Address: 15 The Seapoint Building, Clontarf, Dublin 3.
Eircode: D03 E240
Phone No: +353 (0) 1 853 65 00
E-mail address: rory@mdmeng.ie

Applicant's Legal Advisor:

Name: LK Shields
Address: 40 Upper Mount Street, Dublin 2
Eircode: D02 PR89
Phone No: +353 (0) 1 6610866
E-mail address: email@lkshields.ie

Part 1: Proposal Details (Attach additional documents as required)

1.1	**Description of proposed works/activity.** Geophysical survey and site investigations for a proposed subsea fibre optic cable having a landfall in Galway evaluating options for the route traversing Galway Bay to the north or to the south of the Aran Islands.
1.2	**Describe the nature and scale of any structure to be erected on the foreshore. Is the structure proposed to be temporary or permanent?** No structure to be erected.
1.3	**Indicative timing of the works/activity: (i) Start date (ii) Duration (iii) Any other information relevant to timing.** Start Date – Spring/Summer 2020 Duration – 1 month subject to weather. This overall programme may be subject to change arising from the licensing process, weather or environmental / ecological constraints.

1.4 **Primary usage for proposed development (please tick)**

Use	
Industrial	
Commercial	✓
Within Fishery Harbour Centre	
Sea Fisheries	
Local Authority	
Community/Co Op scheme	
Other(specify)	

1.5 **Do the proposed works provide for public use, commercial use, restricted use or strictly private use? Provide Details**
Commercial Use

1.6 **Might the proposed works restrict public use/enjoyment of the foreshore? Provide details.**
No restriction of public use or enjoyment of the foreshore

1.7 **Has the applicant held or does the applicant hold any previous Foreshore Licences, Leases or applications over the area sought or over any other area including pending applications? (Give details including Department's file reference number(s)).**

FS006838– WINS Western Ireland Northern Spain

1.8 **Status of planning permission application: Pending/granted/not required.**

Consent Authority:
Reference Number:

(Please provide copies of consents granted)

No Planning Permission required.

1.9 **Are any other consents required for this proposal? Please detail.**

Consent type
Consent Authority:
Reference Number:
Status of application:

(Please provide copies of consents granted)

No other consents required

1.10	**Employment Implications (if any)** Temporary employment of survey and site investigation personnel.
1.11	**Capital cost of proposed works (€ - Euro) -** € 180,000
1.12	**Do the proposed works involve the draw down of European Union or State funding?** **If "Yes" give details, including any time restrictions, etc. applying** No

Part 2: Proposed Site. (Attach additional documents as required)

2.1	**County:** Galway
2.2	**Location name and nearest townland name:** Ballyloughane Strand, Renmore, Galway.

2.3 **Geographic co-ordinates of the area under application in degrees minutes and seconds WGS84 for offshore developments and where the area can also be identified on the Ordnance Survey map and /or is connected to the seashore/mainland , specify Ordnance Survey map no and Irish National Grid co-ordinates**

Route Position List (WGS 84)

Latitude	Longitude	Latitude	Longitude
53° 16' 14.7535" N	9° 01' 07.9290" W	53° 12' 34.9517" N	9° 11' 52.4726" W
53° 16' 06.9877" N	9° 01' 21.0380" W	53° 10' 18.8744" N	9° 20' 22.4504" W
53° 15' 56.8229" N	9° 01' 34.0929" W	53° 10' 01.3821" N	9° 21' 05.6621" W
53° 15' 44.2947" N	9° 01' 42.4778" W	53° 09' 37.0608" N	9° 21' 34.0881" W
53° 15' 30.0525" N	9° 01' 56.2741" W	53° 06' 18.1672" N	9° 23' 16.9705" W
53° 15' 19.2903" N	9° 02' 08.7952" W	53° 03' 53.0367" N	9° 24' 54.4694" W
53° 15' 16.7165" N	9° 02' 10.6942" W	53° 03' 02.2865" N	9° 25' 20.8593" W
53° 15' 14.4583" N	9° 02' 11.9387" W	53° 02' 13.4490" N	9° 26' 18.5319" W
53° 15' 06.6779" N	9° 02' 15.5871" W	53° 01' 31.7847" N	9° 27' 28.3613" W
53° 15' 03.6907" N	9° 02' 16.5429" W	53° 00' 57.6851" N	9° 28' 51.4823" W
53° 15' 00.2654" N	9° 02' 16.6467" W	53° 00' 53.2169" N	9° 29' 43.6194" W
53° 14' 53.8481" N	9° 02' 16.6306" W	53° 01' 04.8921" N	9° 31' 20.0622" W
53° 14' 48.1391" N	9° 02' 22.2863" W	53° 01' 03.8148" N	9° 33' 21.6603" W
53° 14' 44.4402" N	9° 02' 27.6874" W	53° 01' 33.3756" N	9° 35' 29.5438" W
53° 14' 41.6711" N	9° 02' 34.0377" W	53° 02' 42.4237" N	9° 39' 28.0737" W
53° 14' 36.5845" N	9° 02' 52.1887" W	53° 03' 43.0779" N	9° 40' 35.6155" W
53° 14' 32.8810" N	9° 03' 10.7390" W	53° 03' 57.2314" N	9° 41' 53.9705" W
53° 14' 30.0056" N	9° 03' 26.8493" W	53° 03' 48.5249" N	9° 43' 30.7300" W
53° 14' 22.7413" N	9° 04' 05.4056" W	53° 03' 58.3993" N	9° 44' 52.4652" W
53° 14' 20.0720" N	9° 04' 14.2989" W	53° 05' 07.3714" N	9° 47' 41.5653" W
53° 14' 01.9734" N	9° 05' 13.1330" W	53° 05' 53.5866" N	9° 51' 26.8706" W
53° 13' 40.0421" N	9° 06' 24.3729" W	53° 07' 00.6057" N	9° 53' 45.5283" W
53° 13' 38.0187" N	9° 06' 33.8874" W	53° 08' 13.5381" N	9° 55' 34.6826" W
53° 12' 56.1922" N	9° 09' 50.2829" W	53° 08' 43.7084" N	9° 57' 14.5323" W
53° 12' 37.4890" N	9° 11' 18.3081" W	53° 08' 36.6549" N	10° 01' 08.1938" W
53° 12' 34.9517" N	9° 11' 52.4726" W	53° 09' 03.5560" N	10° 18' 41.9976" W
53° 12' 29.8788" N	9° 13' 00.7723" W	52° 44' 12.8115" N	10° 04' 49.0398" W
53° 11' 57.8962" N	9° 17' 02.2747" W	52° 43' 1.5561" N	10° 07' 31.6473" W
53° 10' 51.4781" N	9° 25' 15.1959" W	52° 42' 21.8201" N	10° 09' 44.5417" W
53° 10' 31.8395" N	9° 33' 01.2156" W	53° 11' 07.0548" N	9° 50' 22.3604" W
53° 10' 34.5782" N	9° 41' 08.3680" W	53° 10' 34.6199" N	9° 53' 22.3195" W
53° 10' 52.3027" N	9° 43' 05.1192" W	53° 10' 06.3723" N	9° 54' 07.2695" W
53° 10' 45.8665" N	9° 46' 29.6985" W	53° 08' 50.9844" N	9° 55' 11.9361" W
		53° 08' 46.3596" N	9° 55' 26.3102" W
		53° 08' 43.7084" N	9° 57' 14.5323" W

High Water Mark (ITM)
53° 16' 14.7535" N 9° 01' 07.9290" W

OS MAP REF: 3408-10, 3409-06

2.4	**Please indicate the size of the Foreshore area (Ha²) or (M2) or (KM2)** Nominal Survey corridor, 500m wide over an aggregate length of 194.991km to the 12 NM limit = 95.763 km²
2.5	**If offshore please indicate distance from shore (Km):** Not Applicable
2.6	**Is any of the foreshore in the proposed site in private ownership? If yes please provide documentary evidence of same (e.g. folio)** No
2.7	**Any other site details considered relevant:** No

Part 3. Maps and Drawings, Please refer to Guidance on map and drawing requirements.

3.1	**Site location map attached? Please include reference no(s).** Please see: Drawing 1334-A-103: Site Location Map 1 Drawing 1334-A-104: Site Location Map 2
3.2	**Foreshore Lease/Licence map attached? Please include reference no(s).** Please see Drawing 1334-A-101: Foreshore Licence Map 1 Drawing 1334-A-102: Foreshore Licence Map 2 Drawing 1334-A-105: Foreshore Licence Map
3.3	**Drawings of structures to be used and or layout (if required) attached? Please detail and include reference no(s).** Not applicable
3.4	**Admiralty Chart attached?** Please see Drawing 1334-A-101: Foreshore Licence Map 1 Drawing 1334-A-102: Foreshore Licence Map 2 Drawing 1334-A-105: Foreshore Licence Map

3.5	**Other maps/drawings attached ?– please detail and include reference numbers** 6" and 1/2500 OS Maps incorporated in Planning Report

Part 4: Pre- application consultations

4.1	**Describe briefly any consultations undertaken with the following bodies:** **National Parks & Wildlife Service (NPWS) of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs** • **National Monuments Service (NMS) of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs** • **Inland Fisheries Ireland** • **Sea Fisheries Protection Authority** • **Marine Institute** • **Marine Survey Office** **Please also provide copies of correspondence.** Pre-application Consultation information submitted to the Marine Planning and Foreshore Section.
4.2	**Describe briefly any consultations undertaken with other relevant authorities (e.g. Local Authority, Port/Harbour authority etc) or State Agencies.** Pre-application consultations held Galway Harbourmaster.
4.3	**Describe any consultations undertaken to date with other foreshore users.** Survey only - No consultations undertaken.

4.4	**Describe any likely interactions with activities of the public or other foreshore users during the construction and operational phases of the works/activities (e.g. fishing, aquaculture, sailing, and surfing swimming, walking). Describe any measures proposed to minimise inconvenience to other users.** There will be only minimal effects on marine users during survey operations when marine and foreshore users must keep clear of the survey operations in compliance with standard procedures for safety at sea. A Notice to Mariners will be issued. Three localised areas, each approximately 25m^2 on Ballyloughane Strand will be required to be fenced off for the short duration (approximately, 1 hour at each location) of excavating and immediately reinstating trial pits.
4.5	**Have adjacent land owners, whose properties may be affected by these works been consulted? Please provide details/permissions as appropriate.** No landowners affected.

Part 5: Environmental Considerations (your consultations with National Parks and Wildlife Service and National Monuments Service may inform your answers. Attach additional reports as required and mark under the R column)

www.epa.ie/downloads/advice/ea/guidelines/

www.environ.ie/en/DevelopmentHousing/PlanningDevelopment/EnvironmentalAssessment/

http://www.npws.ie/protectedsites/appropriateassessment/

http://webgis.npws.ie/npwsviewer/

	Environmental legislative requirements	Yes	No	R
5.1	Is an Environmental Impact Statement required for this proposal?		✓	
5.2	Is a Natura Impact Statement required for this proposal?	✓		✓
5.3	Is the area within or adjacent to a NHA, pNHA, SAC, SPA, or National Park? Specify site names and code(s).	✓		✓
5.4	Describe any other projects or plans for the area, anticipated or developed, that in combination with this proposal, may have a significant effect on a Natura 2000 site: Please list with planning reference numbers (where available).		✓	

	Environmental Considerations	Yes	No	R
5.5	Will the proposal have any potential environmental impacts? If yes, please describe See Natura Impact Statement	✓		✓

5.6	**Are you proposing any measures to mitigate the potential environmental impacts? If yes, please describe** See Natura Impact Statement	✓		✓
5.7	**Are there public health/safety implications arising from the proposed works? (e.g. effluent disposal, removal of derelict or dangerous structures etc.) If yes, please describe**		✓	
5.8	**Will the works involve the storage and/or disposal of waste? If "Yes" please give details of the type of waste and the proposed method of storage and/or disposal (including location)**		✓	
5.9	**Any other Environmental Considerations? If yes, please specify.**		✓	

	Built Heritage Considerations	**Yes**	**No**	**R**
5.10	**Does the area contain an archaeological site or feature? If yes, please specify.** See Marine Archaeological Assessment Report	✓		✓
5.11	**Does the area contain or adjoin a listed archaeological site or monument? If yes, please specify.** See Marine Archaeological Assessment Report	✓		✓
5.12	**Will the proposal have any potential impacts on the archaeological integrity of the site? If yes please describe**		✓	
5.13	**Are you proposing any measures to mitigate potential archaeological impacts? If yes, please describe?** See Marine Archaeological Assessment Report	✓		✓

Part 6: Navigational Safety Considerations. (Your consultations with relevant stakeholders may inform your answers. Attach additional documents as required and mark under the R column)

	Navigational Safety Considerations.	Yes	No	R
6.1	**Are there public navigational safety implications arising from the proposed works?** Marine activities will be minimally affected during survey operations when vessels must keep clear of the survey vessels in compliance with standard procedures for safety at sea.	✓		✓
6.2	**What marine activity is there in the area?** Leisure, fishing, shipping routes, local ferry traffic.	✓		✓
6.3	**How will the marine activity be affected by the proposed works?** Temporary restriction in terms of keeping a safe distance from survey vessels during survey operations. Best practice for marine operations will be adopted.	✓		✓
6.4	**What mitigating measures will be put in place?** Notice to Mariners will be issued.	✓		
6.5	**How will the proposed works affect Marine Navigation in the future?** No long term effects.		✓	

Part 7: Fishing/Aquaculture considerations (your consultations with IFI, SFPA, DAFM may inform your answers. Attach additional documents as required and mark under the R column)

	Fishing/Aquaculture considerations	Yes	No	R
7.1	**Is the proposal located in proximity to any of the following:** • **aquaculture operation** • **designated Shellfish Growing Waters** • **fish spawning ground** • **other sensitive fisheries location** **Please Illustrate on appropriate chart including distance in Km.** The survey vessels may traverse fishing grounds (Aran Grounds). See Natura Impact Statement.	✓		✓
7.2	**Are there other potential impacts of the proposal on fishing/aquaculture in the area? If yes, please describe.**		✓	
7.3	**Are there any measures proposed to mitigate potential impacts on fisheries or aquaculture? If yes, please describe.** Fisheries liaison will be undertaken prior to and throughout the works.	✓		✓

Part 8 – Additional information

8.1	**Please detail any additional relevant information.** Please see Planning Report, Marine Archaeological Assessment Report and Natura 2000 Impact Statement attached for further information.

Declaration and Consent:

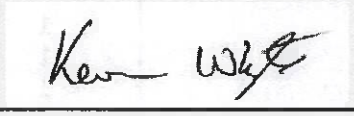
The details provided here are correct to the best of my knowledge.

I understand that no works will be commenced, by me or my agents on the proposed site, without the prior written consent of the Minister.

By submitting this application form, I agree that the details provided (with personal contact details redacted) are to be published on the Department of Housing website and also that the full information provided including contact details are to be processed and retained by the Department of Housing, Planning and Local Government and shared with all appropriate Prescribed Bodies (as part of the Prescribed Bodies Consultation process) in furtherance of consideration for a foreshore Consent under the Foreshore Act 1933 (and Foreshore Amendment Act 2011).

I give consent to the Minister and his servants to copy this application and to make (a redacted) copy available for inspection and copying by the public. This consent relates to this application, to any further information, or submission provided by me or on my behalf and to the publication of the licence document.

Signature of Applicant (or his or her Agent):



Name of above Signatory (block letters):

Kevin Whyte

Position Held:

Senior Engineer, DeepSea Fibre Networks Ltd.

Date: **06/01/2020**

Return completed applications to:

Marine Environment and Foreshore Section
Department of Housing, Planning and Local Government
Newtown Road
Wexford
Y35 AP90

Enquiries to: Foreshore@housing.gov.ie (Other contact details to be included in Guidance materials)
Email a copy of application documents: Foreshore@housing.gov.ie

Enclosures Checklist

One hard copy of every document is required unless otherwise stated. Electronic versions of documentation must also be provided in searchable PDF format (no single file to be greater than 30mb) so that the Department can make them available on its website.

Item No.	Description	No. of copies Required	
1	**Application Form.** With original signature	4	✓
2	**Mapping (see guidelines document)** (i) Site Location map (ii)Foreshore Lease/licence map	 4 4	✓
3	**British Admiralty Chart** (largest available scale)	1	✓
4	**Drawings** of the structures to be used and/or layout	4	**N/A**
5	**Pre-application correspondence with stakeholders.**	1	
6	**Other statutory permissions:** (i) Planning permission (ii) Effluent Discharge Licence (iii) Other consent (Please specify)	 1 1 1	**N/A**
7	**Company documentation (1):** Certified copy of the Company's Memorandum and Articles of Association	1	✓
8	**Company documentation (2)** Certificate of Incorporation of a Limited Liability, or Company/Rule Book/Constitution for a Club or Co-Operative Society as appropriate	1	✓
9	**Environmental Impact Statement (EIS).** (i) Hard copy (ii) CDs	 5 25	**N/A**

10	**Natura Impact Statement (NIS)** (i) Hard copy (ii) CDs	 5 4	 ✓ ✓
11	**Property-related owner permissions/wayleaves** (i) Folio – (or other evidence of private ownership) (ii) Wayleave/consent from other property owners (iii) Other (Please specify)	 2 1 1	**N/A**
12	**Other – Please specify Planning Repot**	1	✓