

# Submission HLG 00451 -22: Screening for Appropriate Assessment Determination on Foreshore Application FS006859 DP Energy, Site Investigations at Inis Ealga

TO: Minister of State Burke  
STATUS: Completed  
PURPOSE: For Decision and Signature

AUTHOR: [REDACTED] (Housing)  
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DIVISION: Foreshore  
DECISION BY: 24/10/2022

## Final comment

Signed by minister, 19/10/22

## Action required

Ministerial determination on the Screening for Appropriate Assessment and signing of the Screening for Appropriate Assessment Determination Statement, if approved.

## Executive summary

DP Energy Ireland (DPEI) has submitted a foreshore licence application for site investigation works to further assess the proposed Inis Ealga site and associated seabed off the coast of counties Cork and Waterford.

As part of the assessment of this application the Minister is required to make a Screening for Appropriate Assessment determination in accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended ('The Regulations').

Having considered all relevant material a recommendation has been made that the Minister adopts the Screening for AA report and reaches the following Screening for AA determination:

In accordance with Regulation 42(6) of the European Communities (Birds and Natural Habitats) Regulations 2011 SI 477 as amended, the Department of Housing, Local Government, Heritage has made a determination following screening that an **Appropriate Assessment is required** as the project, individually or in combination with other plans or projects, is likely to have a significant effect on a European site. The risk of likely significant effects on European sites cannot be excluded on the basis of objective evidence. This determination is based on the location, scale, extent and duration of the proposed development, including temporary works, and has not taken account of measures intended to avoid or reduce significant effects on European sites.

## Detailed information

DP Energy Ireland has applied for a Foreshore Licence and Consent under the Foreshore Act to undertake surveys and investigations to further assess the proposed Inis Ealga site and associated seabed off the coast of counties Cork and Waterford. The results of which will be used to select optimal cable route(s), landfall option(s), windfarm layout and provide baseline data for environmental impact assessments.

Subject to the award of a Foreshore Licence DP Energy Ireland propose to conduct the following types of surveys –

- Geophysical,
- Geotechnical
- Archaeological
- Wind Resource and Metocean Survey
- Benthic and Intertidal
- Birds and Mammal surveys

Contracts for these survey works have not yet been awarded and details of the vessels to be used for this investigation will not be known until this is complete. Indicative equipment for use on the survey work can be found in the application form.

No structures are proposed to be permanently erected on the foreshore as part of this application. A jack-up barge (JUB) will be temporarily located within the nearshore area to acquire geotechnical boreholes. Exact details of the vessel to be used will not be confirmed until award of the contract.

Temporary deployment of 3 seawatch wind lidar buoys or similar at three locations; temporary deployment of 3 ADCPs and deployment of 3 marker buoys next to the Lidar buoy are expected as part of the Wind Resource and Metocean Survey.

The design of the survey scopes will seek to avoid or reduce environmental effects and minimise inconvenience to all other users through careful design and good industry practice. Until the preferred survey contractor is procured, the geophysical survey is complete, and a preferred landfall is selected, it is not possible to determine if access to and from the shore will be restricted.

DP Energy Ireland are proposing to carry out the survey works between April and October within the five years following award of the Foreshore licence, subject to weather conditions.

Further details of the proposed activity are outlined in the application form and associated documents at the link below:

<https://www.gov.ie/en/foreshore-notice/c9ea6-dp-energy-site-investigations-at-inis-ealga/>

**A foreshore licence if granted will permit surveys and investigations to further assess the proposed Inis Ealga site and associated seabed which will result in physical interaction with or disturbance of the Foreshore. The site investigation surveys off the coast of counties Cork and Waterford which are the subject of this application, are being fully assessed under the relevant environmental legislation.**

## Environmental Assessment

As part of the assessment of the foreshore licence application RPS Group Ltd. were commissioned as Independent Environmental Consultants to conduct a Screening for Appropriate Assessment (stage 1 screening) and, if required, an Appropriate Assessment (stage 2), of the likelihood of significant impact on European sites from the application for a Foreshore Site Investigation Licence.

A number of application documents submitted by DP Energy Ireland informed the Screening for Appropriate Assessment. These are:

Tab 04 - Investigative Foreshore Licence Application Form (ORE)

Tab 05 - Foreshore Licence Map

Tab 06 - Schedule of Works

Tab 07 - IEC Request for further information

Tab 08 - Applicant's Response to Further Information request

## Independent Environmental Report

RPS Group Ltd. were engaged as Independent Environmental Consultants (IEC). They completed the Screening for Appropriate Assessment in April 2022. It concluded that, as the proposed development either individually or in combination with other plans or projects, is likely to give rise to impacts which would constitute significant effects, an Appropriate Assessment (stage 2) is required.

The S19 Public consultation is not relevant to this AA Screening stage and will be included in the next stage. This Screening for Appropriate Assessment, along with all relevant material, was considered by the Department's Marine Environment Advisor who agreed with and accepted the IEC's report and its conclusions.

The following recommendation has been made in relation to the Screening for Appropriate Assessment by the Minister:

On the basis of the information supplied, and information publicly available on the NPWS website, and having regard to:

- The nature and scale of the proposed project, and
- The direct connections with regard to the Source-Pathway-Receptor model, and
- The potential for, and absence of detail allowing an assessment of in-combination effects

It is concluded that the proposed development, individually or in-combination with other plans or projects, is likely to have a significant effect on the following European sites, in view of the sites' conservation objectives:

