

From: Beibhinn OConnor [<mailto:Beibhinn.OConnor@Oireachtas.ie>] **On Behalf Of** Catherine Connolly
Sent: 26 July 2016 11:46
To: Simon Coveney; Minister
Subject: Re: Foreshore Lease Application An Spidéal/Na Forbacha

A Aire,

Please can you confirm whether the further extension of time as outlined below has been granted?

Having discussed the matter further with a number of the residents it would seem that, given work commitments and the fact that we are in Summer, a 4 month extension would be more appropriate.

Le meas,

Catherine

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From:

To: simon.coveney@oireachtas.ie

Date: 29/07/2016 14:36

Subject: marine test site , spiddal , co galway. -- Breaches of the law.

Dear Minister Simon Coveney,

The way that yourself as Minister , and your Party have handled the Lease application for the marine test site in Spiddal, is nothing short of a national Scandal.

I have enclosed a copy of an email that i sent this morning to the Attorney General, seeking her opinion /comment on the way this whole Foreshore Lease application has been handled. The application and support documentation are in breach of many European Directives, National and European LAW, Galway county council development plan, and The Aarhus Convention.

As you have been made aware of these breaches , as Minister please ensure that the application will not be considered further until these breaches have been investigated and clarified.

The lease cannot be granted under such circumstances., as the application is not in Adherence to the LAW...

Le meas,

29/07/2016

Office of The Attorney General,
Government Buildings,
Upper Merrion St,
Dublin D02 R583.

Re

.. Foreshore Lease Application by the Marine Institute for a 35 year foreshore Lease , at Marine Test site in Spiddal , Co Galway.

Foreshore application no . FS 006566.

Application lodged with The Dept of Environment, Community, and Local Government.

A chara,

As Legal adviser to the Irish Government i wish to make your office aware of the following information regarding the above mentioned Foreshore Lease application by the Marine Institute.

1. The Lease application contained misleading information concerning the nature and extent of the proposed project.
2. The Environmental Impact Assessment , E.I.A., screening for an Environmental Impact statement E.I.S , was carried out by the applicant and not by the competent authority, which is a violation of many ECJ judgements, and european Law.

3. The Dept of Environment , Community and Local Government are adjudicating on the lease application , guided by outdated legislation.

It is the European Union environment impact assessment, planning and development act 2000 - regulations 2012 and NOT the european communities environmental impact assessment regulations 1989 to 1999 that is the relevant legislation that should be applied to this application.

4. The application is in breach of European Law including the following E.U. Directives.

- a. E.U Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment , the EIA directive.
- b. E.U. Habitats Directive . Special areas of conservation .. SAC areas.
- c. E.U. Water framework directive

The applicant has also failed to consider the Aarhus Convention

The applicant has failed to comply with the codified EIA directive 2011/92/EU and the European Union , environment impact assessment , planning and development act 2000, , regulations 2012 s.i. 419 of 2012 , transposed into Irish law to implement the European court of justice E.C.J. judgement in case C-50/09.

I strongly believe that this application should not be considered further until the above legal issues have been addressed and clarified.

The closing date for submissions / comments on the above lease application is Aug-02 - 2016.

I look forward to your reply,

Le meas,

From:
Sent: 02 August 2016 17:53
To: Minister
Subject: Re: REP1040/SC/16

Ref: REP1040/SC/16

A Aire

Go raibh maith agat as do ríomhphost. Táimid buíoch go bhfuair muid am beag breise ach teastaíonn i bhfad níos mó ama chun dul tríd na doiciméid.

Thank you for your email regarding the extension which we appreciate but we need more time to go through the documents and get the proper expert advice.

As stated in our previous e-mail, we need the opportunity to have our concerns and questions asked in the Dáil as this is our right as Irish Citizens. This is a very important process for us and we have the right to have our VOICE HEARD in the Dáil.

Please grant the extension we need for proper consultation as this should have been part of the process from the very beginning.

Le Meas,



HILDEGARDE NAUGHTON TD

Galway West - South Mayo Constituency

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The Minister for Environment, Community
and Local Government,
Simon Coveney, T.D.,
The Department of Environment, Community
and Local Government,
Custom House,
Custom Quay,
Dublin 1.

22nd June, 2016

Submission No. 554

Re: Foreshore Lease application FS006566 Wave Test Site, Galway.

Dear Minister,

I write in relation to the above and the welcome decision to extend the deadline for submissions until the 1st of July.

However, I have been contacted by many local people who feel that they will be unable to consider the documentation (270 pages and 21 appendices) within that timeframe.

You may know that many people in Connemara were unaware of the consultation until just before the original deadline. It is also the case that local people are attempting to engage with the applicants. Given that they have family and other commitments, I am informed that the extended deadline does not allow adequate time for the consideration of documents, meeting of applicants and preparing submissions.

Concerned parties are requesting another extension until the 1st of August.

There is considerable disquiet that the provisions of the Aarhus Convention are not being complied with in full given the short timeframe for consultation and what they describe as the vague nature of the application.

I think that a further extension would potentially avoid future difficulties and I would therefore urge you to consider such an extension favourably.

Yours sincerely,

Hildegarde Naughton, T.D.

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Catherine Connolly, TD
Dáil Éireann
Teach Laighin
BÁC 2.

Minister Coveney
Dáil Éireann
Teach Laighin
BÁC 2.

22 Meitheamh, 2016

A Aire,

Maidir leis an iarratas ó Foras na Mara

I dtús baire go raibh maith agat as ucht an tsínidh ama go dtí lú lúil.

Ar chúiseanna áirithe áfach, ina measc na cáipéisí móra, casta agus iad go léir trí Bhéarla atá le léamh ag muintir na háite agus ceisteanna maidir leis an bpróiseas comhairliúcháin, ní leor an síneadh ama sin.

Mar sin agus ar son na Teachtaí Dála thíos-luaite tá síneadh ama breise, ar a laghad go dtí lú Lúnasa, ag teastáil uainn ar son muintir na háite.

Le meas,

Catherine Connolly

Seán Kyne

Éamon Ó Cúiv

Noel Grealish

Hildegarde Naughton

Catherine Connolly
Seán Kyne TD
Éamon Ó Cúiv
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T.P.

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