I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
- This project is part of a larger development including Application FS005751, Application FS00661 and Galway County Council Application 13/947. The intention of the EIA Directive is that no project likely to have significant effects on the environment should be exempt and project splitting cannot be used to circumvent the intention of the Directive.
- The cumulative impacts of FS006566, together with the above applications and other developments on the receiving environment of Galway Bay have not been included at the screening stage and therefore have not been assessed as required by law.
- I have been deprived of an Environmental Impact Statement and therefore do not have the information I need to assess the impact this development will have on my quality of life, my health and wellbeing. This application does not provide any External Bodies Consultation information from an independent Environmental NGO to inform me or the Minister deciding on this application.
- The impacts of the proposed development on the sensitive area of Galway Bay, its legally protected species and Habitats, have not been Appropriately Assessed as required by law.
- I do not understand why Tourism has not been considered in this application. The impact on tourism has implications at National and Local level in terms of revenue, employment and rural depopulation.
- I have not been properly informed and I have not been consulted and included in the decision making process with regard to this application as required under the Aarhus Convention.
- Due to the manner in which the public consultation process has been conducted, I have been deprived of my democratic right to representation by my elected public representatives during a large part of the consultation period. Questions not answered at a public meeting on the 21st of July regarding this application, the day the Dáil closed, remain unanswered. My public representatives are largely unavailable and are in any case without a forum in which to raise my questions and receive answers I can rely on. Requests by my representatives to remedy this situation have not been granted by the Minister responsible.
- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore I ask the Minister to refuse to grant this application.

Signed, Date...24/8/2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.

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- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed, 

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 25 AUG 2016 cannot be considered.

Sender address:

I am making the following objection on my own behalf.

I object to the granting of Application FS006566, "Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station" on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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- The cumulative impacts of FS006566, together with the above applications and other developments on the receiving environment of Galway Bay have not been included at the screening stage and therefore have not been assessed as required by law.
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- I have not been properly informed and I have not been consulted and included in the decision making process with regard to this application as required under the Aarhus Convention.
- Due to the manner in which the public consultation process has been conducted, I have been deprived of my democratic right to representation by my elected public representatives during a large part of the consultation period. Questions not answered at a public meeting on the 21st of July regarding this application, the day the Dáil closed, remain unanswered. My public representatives are largely unavailable and are in any case without a forum in which to raise my questions and receive answers I can rely on. Requests by my representatives to remedy this situation have not been granted by the Minister responsible.
- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I seek the Minister to refuse to grant this application.

Signed,

Date 22 Aug 2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 9th September, 2016 cannot be considered.

Sender address:

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.

- This project is part of a larger development including Application FS005751, Application FS006611 and Galway County Council Application 13/947. The intention of the EIA Directive is that no project likely to have significant effects on the environment should be exempt and project splitting cannot be used to circumvent the intention of the Directive.

- The cumulative impacts of FS006566, together with the above applications and other developments on the receiving environment of Galway Bay have not been included at the screening stage and therefore have not been assessed as required by law.

- I have been deprived of an Environmental Impact Statement and therefore do not have the information I need to assess the impact this development will have on my quality of life, my health and wellbeing. This application does not provide any External Bodies Consultation information from an independent Environmental NGO to inform me or the Minister deciding on this application.

- The impacts of the proposed development on the sensitive area of Galway Bay, its legally protected species and Habitats, have not been Appropriately Assessed as required by law.

- I do not understand why Tourism has not been considered in this application. The impact on tourism has implications at National and Local level in terms of revenue, employment and rural depopulation.

- I have not been properly informed and I have not been consulted and included in the decision making process with regard to this application as required under the Aarhus Convention.

- Due to the manner in which the public consultation process has been conducted, I have been deprived of my democratic right to representation by my elected public representatives during a large part of the consultation period. Questions not answered at a public meeting on the 21st of July regarding this application, the day the Dáil closed, remain unanswered. My public representatives are largely unavailable and are in any case without a forum in which to raise my questions and receive answers I can rely on. Requests by my representatives to remedy this situation have not been granted by the Minister responsible.

- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore. I ask the Minister to refuse to grant this application.

Signed

Date: 25/8/2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered.

Sender address:

I,

...am making the following objection on my own behalf.

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed:

Date: 25/9/2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered.

Sender address:

I, am making the following objection on my own behalf.

I object to the granting of Application F5006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed: ___________________________ 

Date: ___________________________ 2016

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Sender address:

I, .......... am making the following objection on my own behalf.

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed, 

Date: 25/8/2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
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Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered.

Sender address:

I, [Name], am making the following objection on my own behalf.

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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- I do not understand why Tourism has not been considered in this application. The impact on tourism has implications at National and Local level in terms of revenue, employment and rural depopulation.
- I have not been properly informed and I have not been consulted and included in the decision making process with regard to this application as required under the Aarhus Convention.
- Due to the manner in which the public consultation process has been conducted, I have been deprived of my democratic right to representation by my elected public representatives during a large part of the consultation period. Questions not answered at a public meeting on the 21st of July regarding this application, the day the Dáil closed, remain unanswered. My public representatives are largely unavailable and are in any case without a forum in which to raise my questions and receive answers I can rely on. Requests by my representatives to remedy this situation have not been granted by the Minister responsible.
- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed [Signature]

Date 25/08/2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Marine Planning and Foreshore Section  
Department of the Environment, Community and Local Government,  
Newtown Road,  
Wexford,  
Co. Wexford.

23rd August 2016

Ref: FS006566, Application for a foreshore lease for the construction of an offshore electricity generating station in Galway Bay  
The Marine institute and others

Dear Sir / Madam,

I hereby object to the above application and furthermore I have the following comments with regard to the above application.

Background  
I live on the River and I am a shareholder in the renowned I am a dedicated salmon and sea trout angler and I also fish Lough Corrib. I live in this part of Galway and more specifically on this river because of its angling and environmental amenity and my interest in salmon and sea trout conservation generally. Although born and bred in Ireland, I have also lived and worked in Scotland, at various locations, in a career encompassing land and fishery management, both on migratory salmonid rivers and within coastal communities.

Atlantic salmon  
Atlantic salmon are a red list species and the proposed development is a direct threat to its very survival in rivers draining into Galway Bay. In the EIS statement submitted by B.I.M a couple of years ago in order to support the proposed salmon farm in Galway Bay, it was mooted that the salmon smolts migrating from the Corrib (SAC) catchment hugged the northern shore of Galway Bay.
Now the Marine Institute is proposing a significant development on the suggested migration route of these Atlantic salmon. It is interesting to note that Aquafact Ltd, who I understand have also drawn up the scoping/screening report in respect of the above application, conducted the survey referred to in the BIM EIS. Undersea turbines for example will mince all fish species.

**Environmental Impact Statement (EIS) and Appropriate Assessment (AA)**

Clearly there is a requirement for both an EIS and AA in respect of the above-proposed development. In my opinion, not to undertake environmental assessments, leaves this application wide open to challenge on the basis that it flouts E.U Directives.

**Development**

From reading of the Smartbay Ltd website, I for one do not believe that the proposed development on the above site will be limited to the construction of an offshore electricity generating station. My understanding is that the site is to be used as a ‘test bed’ for a wide array of technologies including aquaculture. The above site is being seen as a ‘Trojan Horse’ for the introduction of salmon aquaculture into Galway Bay, the previous effort sponsored by Minister Coveney having floundered in the face of determined local opposition. As far as I can determine, the site is being promoted as a ‘test bed’ for new and indeed unproven technologies, which will no doubt include infrastructure, materials and chemicals. Galway Bay should not be utilized as a ‘test bed’ for unproven technologies including chemicals and potential pollutants.

**Renewable Energy**

Galway West has already accommodated more than it's fair share of wind turbines, without seeking to develop Galway Bay as well. It is surely time for other parts of the Country to take on the burden. Perhaps this renewable energy test site should be placed in Crosshaven Bay or Dublin Bay. I would suggest that objections from the sailing fraternity would only be the start of multiple objections.
I would determine that the only rationale for pursuing this sort of development in Galway Bay is the proximity to the Marine Institute based at Oranmore, which is not an appropriate rationale for destroying Galway Bay. The proposed development constitutes a ‘playground’ for one off research funding, which is most likely not sustainable into the future. What is to happen to the infrastructure post research and/or at the end of any lease? Are we to have cables, anchors, foundations and indeed above and below water installations littering the Bay for generations to come?

Tourism
The proposed development is adjacent to the Wild Atlantic Way. However I would understand that Bord Failte have not been consulted to date. I trust that the Volvo Ocean Race might visit Galway in the future, has anybody considered how the above development site might impact on the ability to conduct racing in the Bay?
Tourism is, if not, the optimum sustainable enterprise in this area, providing thousands of jobs and we have to make sure that Galway Bay is afforded the maximum protection as a/the significant tourism resource.

Tides
Much is made of tidal flows in Galway Bay in the EIS supporting the failed salmon aquaculture venture put forward by B.I.M. Has any consideration been given to how infrastructure (much of which it would appear has not even been determined) placed on the area to be leased might interfere with tidal flows and the potential environmental impacts arising therefrom? There are valuable oyster fisheries at the head of the Bay and I have already mentioned salmon migration routes. In addition, we should assume that Sea Trout from this Fishery and the rivers draining directly into Galway Bay feed in the Bay. I might assume that the Marine Institute should have more than passing interest in fish habitats and fish stocks.
‘Wave Bob’

As I use the R336 public road in and out of Galway 3 to 4 times week, I like many have noticed the ‘Wave Bob’ located off Spiddal, which is akin to a large marker buoy.

However acceptance of this structure in the Bay should not be taken as carte blanche to place any structure in the Bay without public consultation and more particularly appropriate environmental impact assessments.

As I say, I strongly object to this application and I ask the Minister to refuse to grant this application for a foreshore lease.

I also reserve the right to add to my submission, should further concerns arise in light of information not presently in the public domain.

As I write this letter to the Department of Environment, Community and Local Government, I am dismayed at the lack of ‘Environmental’ awareness and regard and ‘Community’ consultation that has been shown to date in respect of this application.

I might have hoped that your Department existed to protect the Environment and have due regard for the Community of the citizens of this Country.

Yours sincerely
From: [Redacted]
Sent: 26 August 2016 22:47
To: foreshore
Subject: Submission on Foreshore Lease Application Number FS006566

I am making the following objection on my own behalf. I object to the granting of Application FS006566 on the following grounds. We have not been properly informed, consulted or included in the decision making process with regard to this application as required by Aarhus Convention. The impact on Galway Bay and its protected species has not been assessed. Spiddal and Galway Bay rely greatly on tourism, this application, if granted will has not investigated the effect on tourism.

Therefore I ask the Minister to refuse to grant this application.

Yours Sincerely,

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.

Sent from my iPad
I am making the following objection on behalf of my daughter. She objects to the granting of Application FS006566 on the following grounds. We have not been properly informed, consulted or included in the decision making process with regard to this application as required by Aarhus Convention. The impact on Galway Bay and its protected species has not been assessed. Spiddal and Galway Bay rely greatly on tourism, this application, if granted will have not investigated the effect on tourism.

**Therefore I ask the Minister to refuse to grant this application.**

Yours Sincerely,

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
To whom it may concern,
As a regular guide for French tourists to Spiddal I was appalled by the project to construct an offshore electricity generating station. The project will be an eyesore to anyone with even the mildest sensitivity to the beauty of Galway Bay. The damage to local tourism will be enormous and I strongly object to the proposal.

Regards
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered.

Sender address:

I, ____________________________ , am making the following objection on my own behalf.

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
- This project is part of a larger development including Application FS005751, Application FS006611 and Galway County Council Application 13/947. The Intention of the EIA Directive is that no project likely to have significant effects on the environment should be exempt and project splitting cannot be used to circumvent the intention of the Directive.
- The cumulative impacts of FS006566, together with the above applications and other developments on the receiving environment of Galway Bay have not been included at the screening stage and therefore have not been assessed as required by law.
- I have been deprived of an Environmental Impact Statement and therefore do not have the information I need to assess the impact this development will have on my quality of life, my health and wellbeing. This application does not provide any External Bodies Consultation information from an independent Environmental NGO to inform me or the Minister deciding on this application.
- The impacts of the proposed development on the sensitive area of Galway Bay, its legally protected species and Habitats, have not been Appropriately Assessed as required by law.
- I do not understand why Tourism has not been considered in this application. The impact on tourism has implications at National and Local level in terms of revenue, employment and rural depopulation.
- I have not been properly informed and I have not been consulted and included in the decision making process with regard to this application as required under the Aarhus Convention.
- Due to the manner in which the public consultation process has been conducted, I have been deprived of my democratic right to representation by my elected public representatives during a large part of the consultation period. Questions not answered at a public meeting on the 21st of July regarding this application, the day the Dáil closed, remain unanswered. My public representatives are largely unavailable and are in any case without a forum in which to raise my questions and receive answers I can rely on. Requests by my representatives to remedy this situation have not been granted by the Minister responsible.
- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences. Therefore, I ask the Minister to refuse to grant this application.

Signer ____________________________

Date: ____________________________ / 2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered.

Sender address:

I, 

..., am making the following objection on my own behalf.

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
- This project is part of a larger development including Application FS005751, Application FS006611 and Galway County Council Application 13/947. The intention of the EIA Directive is that no project likely to have significant effects on the environment should be exempt and project splitting cannot be used to circumvent the intention of the Directive.
- The cumulative impacts of FS006566, together with the above applications and other developments on the receiving environment of Galway Bay have not been included at the screening stage and therefore have not been assessed as required by law.
- I have been deprived of an Environmental Impact Statement and therefore do not have the information I need to assess the impact this development will have on my quality of life, my health and wellbeing. This application does not provide any External Bodies Consultation information from an independent Environmental NGO to inform me or the Minister deciding on this application.
- The impacts of the proposed development on the sensitive area of Galway Bay, its legally protected species and Habitats, have not been Appropriately Assessed as required by law.
- I do not understand why Tourism has not been considered in this application. The impact on tourism has implications at National and Local level in terms of revenue, employment and rural depopulation.
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- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed, ... 

Date: 26 Aug 2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered.

Sender address:

I am making the following objection on my own behalf.

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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- The cumulative impacts of FS006566, together with the above applications and other developments on the receiving environment of Galway Bay have not been included at the screening stage and therefore have not been assessed as required by law.
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- I do not understand why Tourism has not been considered in this application. The impact on tourism has implications at National and Local level in terms of revenue, employment and rural depopulation.
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- Due to the manner in which the public consultation process has been conducted, I have been deprived of my democratic right to representation by my elected public representatives during a large part of the consultation period. Questions not answered at a public meeting on the 21st of July regarding this application, the day the Dáil closed, remain unanswered. My public representatives are largely unavailable and are in any case without a forum in which to raise my questions and receive answers I can rely on. Requests by my representatives to remedy this situation have not been granted by the Minister responsible.
- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Thereby ask the Minister to refuse to grant this application.

Signed,

Date: 29/08/2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered.

Sender address:

I, , am making the following objection on my own behalf.

I object to the granting of Application F5006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
- This project is part of a larger development including Application F5005751, Application F5006611 and Galway County Council Application 13/947. The intention of the EIA Directive is that no project likely to have significant effects on the environment should be exempt and project splitting cannot be used to circumvent the intention of the Directive.
- The cumulative impacts of F5006566, together with the above applications and other developments on the receiving environment of Galway Bay have not been included at the screening stage and therefore have not been assessed as required by law.
- I have been deprived of an Environmental Impact Statement and therefore do not have the information I need to assess the impact this development will have on my quality of life, my health and wellbeing. This application does not provide any External Bodies Consultation information from an Independent Environmental NGO to inform me or the Minister deciding on this application.
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- I do not understand why Tourism has not been considered in this application. The impact on tourism has implications at National and Local level in terms of revenue, employment and rural depopulation.
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- Due to the manner in which the public consultation process has been conducted, I have been deprived of my democratic right to representation by my elected public representatives during a large part of the consultation period. Questions not answered at a public meeting on the 21st of July regarding this application, the day the Dáil closed, remain unanswered. My public representatives are largely unavailable and are in any case without a forum in which to raise my questions and receive answers I can rely on. Requests by my representatives to remedy this situation have not been granted by the Minister responsible.
- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed, 

Date: 22/ August 2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
To: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford.

Sender Address

I am making the following objection on my own behalf.

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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- The cumulative impacts of FS006566, together with the above applications and other developments on the receiving environment of Galway Bay have not been included at the screening stage and therefore have not been assessed as required by law.
- I have been deprived of an Environmental Impact Statement and therefore do not have the information I need to assess the impact this development will have on my quality of life, my health and wellbeing. This application does not provide any External Bodies Consultation information from an independent Environmental NGO to inform me or the Minister in deciding on this application.
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- I do not understand why Tourism has not been considered in this application. The Impact on tourism has implications at National and Local level in terms of revenue, employment and rural depopulation.
- I have not been properly informed and I have not been consulted and included in the decision making process with regard to this application as required under the Aarhus Convention.
- Due to the manner in which the public consultation process has been conducted, I have been deprived of my democratic right to representation by my elected public representatives during a large part of the consultation period. Questions not answered at a public meeting on the 21st July regarding this application, the day the Dáil closed, remain unanswered. My public representatives are largely unavailable and are in any case without a forum in which to raise my questions and receive answers I can rely on.
- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.
- Therefore I ask the Minister to refuse to grant this application.

Signed

Date: 28/01/2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
To: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford.

Sender Address

I, [Name], am making the following objection on my own behalf.

I object to the granting of Application FS006566, "Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station" on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this had not been done.
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- Due to the manner in which the public consultation process has been conducted, I have been deprived of my democratic right to representation by my elected public representatives during a large part of the consultation period. Questions not answered at a public meeting on the 21st July regarding this application, the day the Dáil closed, remain unanswered. My public representatives are largely unavailable and are in any case without a forum in which to raise my questions and receive answers I can rely on.
- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.
- Therefore I ask the Minister to refuse to grant this application.

Signed: [Signature] Date: 28/8/14

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
To: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford.

I, ____________________________, am making the following objection on my own behalf.

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.

- This project is part of a larger development including Application FS005751, Application FS006611 and Galway County Council Application 13/947. The intention of the EIA Directive is that no project likely to have significant effects on the environment should be exempt and project splitting cannot be used to circumvent the intention of the Directive.

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- I have been deprived of an Environmental Impact Statement and therefore do not have the information I need to assess the impact this development will have on my quality of life, my health and wellbeing. This application does not provide any External Eodies Consultation Information from an independent Environmental NGO to inform me or the Minister in deciding on this application.

- The impacts of the proposed development on the sensitive area of Galway Bay, its legally protected species and Habitats, have not been appropriately assessed as required by law.

- I do not understand why Tourism has not been considered in this application. The impact on tourism has implications at National and Local level in terms of revenue, employment and rural depopulation.

- I have not been properly informed and I have not been consulted and included in the decision making process with regard to this application as required under the Aarhus Convention.

- Due to the manner in which the public consultation process has been conducted, I have been deprived of my democratic right to representation by my elected public representatives during a large part of the consultation period. Questions not answered at a public meeting on the 21st July regarding this application, the day the Dáil closed, remain unanswered. My public representatives are largely unavailable and are in any case without a forum in which to raise my questions and receive answers I can rely on.

- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

- Therefore I ask the Minister to refuse to grant this application.

Sign: ____________________________ Date: 29.8.2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
To: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford.

I am making the following objection on my own behalf.

I object to the granting of Application FS006566, "Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station" on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.
- Therefore I ask the Minister to refuse to grant this application.

Signed

Date: 28/08/16

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered.

Sender address:

I, ...., am making the following objection on my own behalf.

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed, ....

Date: 28/08/2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered.

Sender address:

I, ... am making the following objection on my own behalf.

I object to the granting of Application FS006566, "Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station" on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and imagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed, ........

Date......28th August 2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends on 31st August 2016 cannot be considered.

Sender address:

I, [Name] am making the following objection on my own behalf.

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed, [Name]

Date: [Date]/2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered.

Sender address:

I,

... am making the following objection on my own behalf:

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed, 

Date 28/8/2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.wex.ie

Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered.

Sender address:

I, am making the following objection on my own behalf.

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
- This project is part of a larger development including Application FS005751, Application FS006611 and Galway County Council Application 13/947. The intention of the EIA Directive is that no project likely to have significant effects on the environment should be exempt and project splitting cannot be used to circumvent the intention of the Directive.
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Therefore, I ask the Minister to refuse to grant this application.

Signed

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Date...29/6/2016
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I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

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- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed, 

Date: 29/8/2016

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Submissions received outside of the public consultation period which ends on 2nd September 2016 cannot be considered.

Sender address:

I, am making the following objection on my own behalf.

I object to the granting of Application FS006566, "Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station" on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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- Requests by my representatives to remedy this situation have not been granted by the Minister responsible.
- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed

Date...8/8/2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered.

**Sender address:**

I, ..., am making the following objection on my own behalf.

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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**Therefore, I ask the Minister to refuse to grant this application.**

Signed,

Date: 29/8/2016

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Submissions received outside of the public consultation period which ends on 30th August 2016 cannot be considered.

Sender address:

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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Therefore, I ask the Minister to refuse to grant this application.

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I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

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Therefore, I ask the Minister to refuse to grant this application.

Signed,

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I, ..., am making the following objection on my own behalf.

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Therefore, I ask, the Minister to refuse to grant this application.

Signed, ..

Date: 23/8/2016

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Therefore, I ask the Minister to refuse to grant this application.

Signed,  

Date: ___/___/2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
The marine institute applied in April to the then Department of Environment for a foreshore lease for the Galway Bay Marine and Renewable Energy Test site where marine renewable technology can be tested at a reduced scale. This application was Very Misleading to the public in so far as most people were led to believe the site was going to be used for Marine Renewable Energy on a small scale .ie wave Bob and other small projects .
It has now came to the attention of my self my family and all of the people living in Ballintleva spiddal that the Marine institute has been misleading the Public and Galway County Council in their application for this site. The proposed wind farm and it scale completely contravenes the original planning application . We are Apposed to this planning application FS 006566 . Because of its scale . Because it is Not in keeping with the rural planning guide for Galway . Because it is not in keeping with SACs . Because it is not in keeping with the local area . Because it will be an eye sour on the local tourist area . Because this site is not for use for commercial industrial projects . We are very Apposed to the site and any further projects due to the misleading information the MARINE INSTITUTE has put to the public .
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From:
Sent: 29 August 2016 16:07
To: foreshore
Subject: FS 006566

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Submissions can be made to Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered.

Sender address:

I, ________________, am making the following objection on my own behalf.

I object to the granting of Application F5006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
- This project is part of a larger development including Application F5005751, Application F5006611 and Galway County Council Application 13/947. The Intention of the EIA Directive is that no project likely to have significant effects on the environment should be exempt and project splitting cannot be used to circumvent the intention of the Directive.
- The cumulative impacts of F5006566, together with the above applications and other developments on the receiving environment of Galway Bay have not been included at the screening stage and therefore have not been assessed as required by law.
- I have been deprived of an Environmental Impact Statement and therefore do not have the information I need to assess the impact this development will have on my quality of life, my health and well being. This application does not provide any External Bodies Consultation information from an independent Environmental NGO to inform me or the Minister deciding on this application.
- The impacts of the proposed development on the sensitive area of Galway Bay, its legally protected species and Habitats, have not been Appropriately Assessed as required by law.
- I do not understand why Tourism has not been considered in this application. The impact on tourism has implications at National and Local level in terms of revenue, employment and rural depopulation.
- I have not been properly informed and I have not been consulted and included in the decision making process with regard to this application as required under the Aarhus Convention.
- Due to the manner in which the public consultation process has been conducted, I have been deprived of my democratic right to representation by my elected public representatives during a large part of the consultation period. Questions not answered at a public meeting on the 21st of July regarding this application, the day the Dáil closed, remain unanswered. My public representatives are largely unavailable and are in any case without a forum in which to raise my questions and receive answers I can rely on. Requests by my representatives to remedy this situation have not been granted by the Minister responsible.
- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore I ask the Minister to refuse to grant this application.

Signed, _______________ Date: 27/8/2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

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- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed: 

Date: 2nd August 2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford Co Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered

Sender address: 

I, am making the following objection on my own behalf.

I object to the granting of Application F5006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed, 

Date: 24/08/2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered.

Sender address:

I, am making the following objection on my own behalf.

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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- I have been deprived of an Environmental Impact Statement and therefore do not have the information I need to assess the impact this development will have on my quality of life, my health and wellbeing. This application does not provide any External Bodies Consultation information from an independent Environmental NGO to inform me or the Minister deciding on this application.
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- I have not been properly informed and I have not been consulted and included in the decision making process with regard to this application as required under the Aarhus Convention.
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- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed:

Date 2nd August 2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
From: 
Sent: 31 August 2016 21:18
To: foreshore
Subject: Foreshore Application FS006566

I am making the following objection my own behalf. I object to the granting of Application FS006566 on the following grounds. We have not been properly informed, consulted or included in the decision making process with regard to this application as required by Aarhus Convention. The impact on Galway Bay and its protected species has not been assessed. Spiddal and Galway Bay rely greatly on tourism, this application, if granted will has not investigated the effect on tourism.

Therefore I ask the Minister to refuse to grant this application.

Yours Sincerely,

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Environmental Action Alliance-Ireland

Submission

to

Foreshore Licencing Unit

Department of Environment, Community and Local Government

Re: Lease to Construct

an

Offshore Electricity Generation Station (Ref: FS006566)
Introduction

Environmental Action Alliance-Ireland (EAA-1) is a Non-Governmental Environmental Organisation (NGEO), founded in 1990. The fundamental purpose of EAA-I is the promotion of sustainable development through a process of democracy, human rights and the rule of law. Since 1990, EAA-I has registered over 250 complaints with European Commission concerning infringements of the EIA Directive.

EAA-I is a Party to a complaint registered with United Nations Economic Commission for Europe (UNECE) Ref: (ACCC/C/2010/54) on the grounds that Ireland failed to comply with Articles 3(1), 4, 5, 6, 7, 8 and 9 of the Convention in respect of its renewable-energy programme. In essence, the planning decision-making process is pro forma in that decisions had usually already been made, prior to the matter being made available for public consultation. In 2006, the Marine Institute was granted a foreshore lease SJM/10380/2005 by the then Department of Communications, Marine and Natural Resources under the Foreshore Act 1933 for an area of foreshore off the Spiddal coast in Galway Bay, Co. Galway for the purpose of testing ¼-scale wave energy devices.

In February 2016, the Marine Institute submitted a new foreshore lease application to the Foreshore Licensing Unit, Department of Environment, Community and Local Government for a Lease to Construct an Offshore Electricity Generation Station at the Galway Bay Test Site, and the continued operation at the site for a further 35 years. (Ref: FS006566)

This submission will show that:-

- the application contained misleading information
- the EIA Screening for an Environmental Impact Statement (EIS) was carried out by the applicant and not Galway County Council
- the Screening was carried out under the wrong legislation
- the applicant has failed to comply with European case law concerning the appropriate tiering relationships between Strategic Environmental Assessment (SEA) for plans and programmes and Environmental Impact Assessment (EIA) for projects.

Administrative law may be defined as the legal framework within which policy objectives set by democratically accountable decision-makers are implemented. This submissions clearly shows a violation of administrative transparency, which has been recognised by courts, constitutions and treaties as a fundamental right of the individual. The European Court of Justice (ECJ) held that the principle of legal certainty is part of Community law and should be respected by Community institutions and Member States when they exercise their powers conferred by EU Directives.1

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**The Description of the Project is Uncertain/Misleading**

I first wish to state that any planning application which requires an environmental impact statement (EIS) under the provisions of the EIA Directive 2011/92/EU is known as a project. The term project is defined in Article 1 (2) (a) of the EIA Directive 2011/92/EU as:

(a) the execution of construction works or other installations or schemes or

(b) other interventions in the natural surroundings and landscape, including those involving the extraction of mineral resources.

Sustainable Energy Authority of Ireland (SEAI) in its Offshore Electricity Generating Station-Note (OEGSN) for Intended Developers states that where an applicant intends to test a new technology on a demonstration or pilot basis, or to carry out other tests, which may be relevant for the development of new technology, separate arrangements may apply subject to the Minister being satisfied that it is clearly a demonstration project. The Application should be made on the form appropriate for commercial development, but it should clearly be marked to indicate that it is not a commercial development but a demonstration or pilot programme.

The OEGSN states that Foreshore Licenses should, ordinarily, be valid for four (4) years and not normally be subject to extension. Where the Minister is satisfied that, because of *force majeure* applying, it was not possible to complete investigations within the four-year licence period, the Minister may, at his sole discretion and subject to any additional or differing conditions as he may think appropriate, extend the period of validity of the Licence for one or more periods, each of which shall not exceed twelve months.

In this instance the application is for a Foreshore Lease for the Construction and Operation of an Offshore Electricity Generation Station. The OEGSN states that inter alia the following is required:

- An Environmental Impact Statement will be required in respect of all proposed installations covering, in addition to statutory requirements, the issues addressed in the scoping document forming part of this proposal. The EIS and a copy of Planning Permission for shore based works should accompany the application.

- Offshore generating stations will not, as a general rule, be allowed within 5 km. of the shore but applicants may make a case for such if they consider that the proposed construction will not interfere unduly with the visual amenity of the area in question (both landscape and seascape). Such applications will be subject to special consultation procedures in the light of potential for excessive visual impact.

- Foreshore Leases may not be assigned until construction has been completed, and generation has taken place successfully for at least two years.

It is evident that the application contains misleading information, and the full nature and extent of the proposed project was not identified.

The following are some of the previous applications and planning permissions:

20th March 2006 - 19th March 2016: (FS004904). Original 10 year foreshore Lease for the construction and operation of a Demonstration offshore electricity generating station was granted to test wave energy device (1) for 6 months.
A specific Conditions of this granted Lease was that the lessee shall ensure that cable connection to shore is not permitted as part of any testing programme. However, in 2013 Galway County Council (Ref No: PL13/947) granted permission for change of use of existing store to a plant room. This is where the cable terminates, at present, on shore, at the back of the Second Level School. In 2014 a Foreshore Licence - (FS005751) was granted for 35 years for the cable from the Leased Site above to Spiddal pier, onto shore, connected to a 'plant room' at the back of the local Secondary School.

On 16th March 2016 a license (FS006611) was granted by Marine Planning and Foreshore Section (MPFS) of the Dept. of the Environment, Community and Local Government for a 'short term' extension of original Foreshore Lease (signed by Minister Paudie Coffey).

In February 2016 an application was made to the Foreshore Section (MPFS) of the Dept. of the Environment, Community and Local Government (FS006566) for a 35 Years foreshore lease - ‘to construct an offshore electricity generating station’. (Current application)

In reality this and as a matter of fact this application is for Wind Turbines 60m above sea level and wave energy converters 30m above sea level. Following publicity in the Irish Times the developer contacted the relevant journalist and asserted that this was a mistake - that the Turbines were to be a maximum of 35m above water. Six weeks later, on 6th April, this 'mistake' was corrected and a 'Revised Application' was submitted under the same reference number.

On 19th July 2016 a New Lease was granted by the Minister for the Environment, Community and Local Government in the determination section of FS006611.

All the applications except FS006566 have been decided, but are part of the same project and it isn't possible to fully understand the current application (FS006566) without reading and trying to understand the others.

An enormous task, especially given all the technical terms and areas requiring specialist knowledge. Particularly when documents continue to be added to the applications on environ.ie
Inadequate Screening for EIS


The European Court of Justice (ECJ) in its decision on 3 March 2011, in Case C-50/09 (Commission v Ireland), held that Irish legislation, on the relevant dates applicable to the Court’s decision, did not adequately transpose Article 3 of the EIA Directive, which makes the competent authority responsible for carrying out an environmental impact assessment.

To implement the judgment, Ireland transposed the European Union (Environment Impact Assessment) (Planning and Development Act 2000) Regulations 2012 into Irish law. The Regulations also give further effect to the codified EIA Directive 2011/92/EU. The Regulations, made significant amendments to the Planning and Development (Amendment) Act 2010 (PDA), which is the primary legislation for transposing the EIA Directive into Irish law.

The provisions of a directive must be implemented with unquestionable binding force and with the specificity, precision and clarity required in order to satisfy the need for legal certainty, which requires that, in the case of a directive intended to confer rights on individuals, the persons concerned must be enabled to ascertain the full extent of their rights.2

The Directive implementing the procedural requirements of the Aarhus Convention relates to Directive 2003/35/EC and the EIA procedure as provided for in Directive 2011/92/EU.

Accordingly, 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.

The key issue in the context of the possible need for EIA of sub-threshold development is whether or not such development is likely to have significant effects on the environment. To comply with the codified EIA Directive 2011/92/EU the Environmental Protection Agency (EPA) in 2015, prepared Guidelines on information to be contained in environmental impact statements. The guidance is provided by way of criteria set out in Annex III of the consolidated Directive.

Accordingly, a project likely to have significant effects on the environment, within the meaning of the EIA Directive, cannot be exempt from an assessment, unless the specific project excluded could, on the basis of a comprehensive screening, be regarded as not being likely to have such effects.3

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1 C-332/04, Commission v Spain, paragraph 38; C-427/07, Commission v Ireland, paragraphs 54-55
2 Case C-435/07, WWF and Others, paragraphs 42, 43, 45 and C-87/02, Commission v Italian Republic, paragraphs 41, 42, 44
The EPA Guidelines 2015 of the information to be contained an EIS state that "Projects are evaluated using the criteria set out below to determine whether an EIS is required." 25

Characteristic of Projects:

The characteristics of projects must be considered, with particular regard to:

- the size and design of the whole project;
- cumulation with other existing and/or approved projects;
- the use of natural resources, in particular, land, soil, water and biodiversity;
- the production of waste;
- pollution and nuisances;
- the risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge;
- the risks to human health (for example, example due to water contamination or air pollution).

Location of Projects:

The environmental sensitivity of geographical areas likely to be affected by projects must be considered, with particular regard to:

- the existing and approved land use;
- the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
- the absorption capacity of the natural environment, paying particular attention to the following areas:
  (i) wetlands, riparian areas, river mouths;
  (ii) coastal zones and the marine environment;
  (iii) mountain and forest areas;
  (iv) nature reserves and parks;
  (v) areas classified or protected under national legislation; Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC;
  (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure;
  (vii) densely populated areas;
  (viii) landscapes and sites of historical, cultural or archaeological significance.
Type and Characteristics of the Potential Impacts:

The likely significant effects of projects on the environment must be considered in relation to criteria set out in points 1 and 2 of this Annex (above), with regard to the impact of the project on the factors specified in taking into account:

- the magnitude and spatial extent of the impact (for example, example geographical area and size of the population likely to be affected);
- the nature of the impact;
- the transboundary nature of the impact;
- the intensity and complexity of the impact;
- the probability of the impact;
- the expected onset, duration, frequency and reversibility of the impact;
- the cumulation of the impact with the impact of other existing and/or approved projects;
- the possibility of effectively reducing the impact.

A decision by which the national competent authority takes the view that a project’s characteristics do not require it to be subjected to an assessment of its effects on the environment must contain or be accompanied by all the information that makes it possible to check that it is based on adequate screening, carried out in accordance with the requirements of the EIA Directive. (C-87/02, Commission v. Italian Republic, paragraph 49).

On 26th July EAA-I requested a copy of the screening carried out by Galway County Council in accordance with Article 4 (2) of the EIA Directive 2011/92/EU. On 19th August 2016, the Council informed EAA-I that access to the information requested is denied, as the information requested is not currently held by the planning authority. In other words, no EIA screening was carried out by the designated competent authority.

If a negative screening decision of a Member State states the reasons on which it is based that determination is sufficiently reasoned, where the reasons which it contains (added to factors which have already been brought to the attention of interested parties, and supplemented by any necessary additional information that the competent national administration is required to provide to those interested parties at their request) can enable the interested parties to decide whether to appeal against that decision.4

Where a Member State defines general rules for determining whether projects falling within Article 4(2) of the EIA Directive must be made subject to prior assessment of their effects on the environment before consent is given, the infringement of those rules necessarily constitutes an infringement of the combined provisions of Articles 2(1) and 4(2) of the EIA Directive.5

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4 C-75/08, Mellor, paragraphs 61, 66, operative part 1-2
5 C-83/03, Commission v. Italy-Fossacesia, paragraph 20
Even a small-scale project can have significant effects on the environment if it is in a location where the environmental factors set out in Article 3 of the EIA Directive, such as fauna and flora, soil, water, climate or cultural heritage, are sensitive to the slightest alteration.

As regards the cumulative effect of projects, it is to be remembered that the criteria and/or thresholds mentioned in Article 4(2) are designed to facilitate the examination of the actual characteristics exhibited by a given project in order to determine whether it is subject to the requirement to carry out an assessment, and not to exempt in advance from that obligation certain whole classes of projects listed in Annex II, which may be envisaged on the territory of a Member State. 6

Article 4(2) of the EIA Directive mentions, by way of indication, methods to which the Member States may have recourse when determining which of the projects falling within Annex II are to be subject to an assessment within the meaning of the EIA Directive. Consequently, the EIA Directive confers a measure of discretion on the Member States and does not therefore, prevent them from using other methods to specify the projects requiring an environmental impact assessment under the Directive.

However, whatever the method adopted by a Member State to determine whether or not a specific project needs to be assessed, be it by legislative designation or following an individual examination of the project, the method adopted must not undermine the objective of the Directive, which is that no project likely to have significant effects on the environment, within the meaning of the Directive, should be exempt from assessment, unless the specific project excluded could, on the basis of a comprehensive screening, be regarded as not being likely to have such effects.

A Member State which, on the basis of Article 4(2) of the EIA Directive, has established thresholds and/or criteria taking account of only the size of projects, without taking into consideration all the criteria listed in Annex III [i.e. nature and location of projects], exceeds the limits of its discretion under Articles 2(1) and 4(2) of the EIA Directive.

Pursuant to Article 4(3) of Directive 85/337, when establishing the criteria and/or thresholds in question, the Member States are required to take into account the relevant selection criteria listed in Annex III to the Directive.

The fundamental objective of the EIA Directive is clear from Article 2(1), which states that, before development consent is given, projects likely to have significant effects on the environment by virtue, inter alia, of their nature, size or location should be made subject to a requirement for development consent and an assessment with regard to their effects.

Accordingly, any development consent in the form of a lease or license granted without compliance with Article 2 (1) and 4(2) would be legally flawed as it would violate numerous European Court judgments.

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6 C-392/96, Commission v. Ireland, paragraph 66; C-435/09, Commission v. Belgium, paragraph 50
No Tiering of SEA and EIA

Early in the development of the Strategic Environmental Assessment (SEA) concept, the idea of tiering of environmental assessment at different planning levels was put forward as a key element. The SEA is a process that aims to integrate environmental and sustainability considerations into strategic decision-making. Diagram 1 shows that the three levels of SEA are linked to Project EIA, this linkage is called ‘tiering’. Tiering is considered as one of the major drivers for the development of SEA. The SEA of Policy will affect and inform the Plan, which in turn will affect and inform the Programme and inform the EIA of Projects.

![Diagram 1](image)

The European Directive 2009/28/EC on the promotion of the use of energy from renewable sources establishes the basis for the achievement of the EU’s 20% renewable energy target by 2020. Under the terms of the Directive, each Member State is set an individually binding renewable-energy target, which will contribute to the achievement of the overall EU goal. Article 4 of Directive 2009/28/EC required each Member State to adopt a national renewable-energy action plan (NREAP) to be submitted to the European Commission. A European Commission Decision (C-2009/5174) of 30 June 2009 established a template for NREAPs under Directive 2009/28/EC. Accordingly, Directive 2009/28/EC contains the Policy and under the provisions of Article 4, the Plan was adopted.

Under Article 3, of the SEA Directive 2001/42/EC an SEA is mandatory for plans and programmes in forestry, energy, industry, transport, waste management, water management and telecommunications, which set the framework for future development consent of projects listed in Annex I or Annex II of the EIA Directive, or which, in view of the likely effect on sites, have been determined to require an assessment pursuant to Article 6 or 7 of Directive 92/43/EEC (the "Habitats Directive")

In 2010, an SEA was carried out for the Offshore Renewable Energy Development Plan (OREDP) for Ireland. Accordingly, all future development consent of projects listed in Annex, I or Annex II of the EIA Directive requires an EIS and EIA.

The European Union SEA Directive 2001/42/EC, seeks to provide for a high level of protection of the environment and to contribute towards the integration of environmental considerations for the preparation and adoption of plans and programmes with a view to promoting sustainable development. Both the SEA and the EIA are structured approaches for obtaining and evaluating environment information prior to its use in decision-making in the development consent process.
The EIA focuses on proposed physical developments such as projects, whereas the SEA focuses on proposed actions at a “higher” level such as new or amended laws, policies, programmes and plans. Often, physical developments and projects are the result of implementation of a policy or plan.

The relationship between the SEA and EIA Directives, and between the SEA Directive and other Community legislation, is expressly addressed in Article 11 of the SEA Directive, paragraphs 1 and 2 of which provide:

“1. An environmental assessment carried out under this Directive shall be without prejudice to any requirements under Directive 85/337/EEC and to any other Community law requirements.

2. For plans and programmes for which the obligation to carry out assessments of the effects on the environment arises simultaneously from this Directive and other Community legislation, Member States may provide for co-ordinated or joint procedures fulfilling the requirements of the relevant Community legislation in order, inter alia, to avoid duplication of assessment.”

This complementary relationship between the EIA and SEA Directives is of key importance so as to avoid a lacuna in environmental assessment. The Advocate General gave a useful example of this at point 33 of her opinion:

“33. An abstract routing plan, for example, may stipulate that a road is to be built in a certain corridor. The question, whether alternatives outside that corridor would have less impact on the environment is therefore, possibly not assessed when development consent is subsequently granted for a specific road-construction project. For this reason, it should be considered, even as the corridor is being specified, what effects the restriction of the route will have on the environment and whether alternatives should be included.”

In 2005 the Imperial College in London, was commissioned by the European Commission (Ref: NV.G.4./ETU/2004/0020r) to carry out a report, which aimed at clarifying the legal relationship between the two Directives and identifying the potential areas of overlap between the EIA and SEA Directives, among the EU Member States.

The key areas identified as likely to give rise to potential overlaps between the Directives were inter alia, project proposals that require the amendments of land-use plans (which will require SEA) before a developer can apply for development consent and undertake EIA and the hierarchical linking between SEA and EIA.

The Irish case study conclusion stated that the Irish Government remains of the view that overlap between the EIA and SEA Directives, regardless of the type of plan or programme involved, is not envisaged. The Government’s view was that there should be appropriate tiering relationships between SEAs for plans and programmes and EIAs for projects, but that does not constitute a problem of overlap.

The European Commission’s first report on the application of the SEA Directive (produced pursuant to Article 12(3) of the SEA Directive) emphasises the complementary relationship between the SEA and EIA Directives, states:

“The two Directives are to a large extent complementary: the SEA is 'up-stream' and identifies the best options at an early planning stage, and the EIA is 'down-stream' and refers to the projects that are coming through at a later stage.”
The second key principle of SEA is that it must improve, rather than just analyse, the policy, plan or programme. The emphasis should be on incorporating SEA in the formulation of the strategic action. In order to evaluate how SEA could improve the strategic action it is helpful to see the different ways in which SEA could interact with strategic-decision making.

Diagram 2 shows (in a symbolic way) four different ways in which SEA stages can interact (or not) with different strategic-decision stages.

![Diagram 2](Image)

The ‘no-link’ or ‘nonsense’ model (a) is a very poor practice model. It assumes that there are no links between SEA and the strategic-decision making, and therefore, SEA is done just as a ‘tick-box’ exercise. The ‘consent-related’ model (b) only adjusts strategic-making to include an SEA stage that informs the strategic action’s decision-making stage. Again, this is not considered a best-practice model.

The best and legal models are the two integrated models (c and d). The integrated model assumes that strategic actions are subject to multiple stages of decision-making and attempts to integrate SEA into each of these decisions. The difference between the two integrated models is a subtle one. In the integrated model (I c) there are links between the SEA stages, while in the integrated model (II d) the emphasis is on the flow between the strategic-decision making stages, and the SEA stages exist only to inform decision-making. The integrated model (II) shows more than any other how the ultimate aim is not to carry out the SEA per se but to use the SEA to achieve the best strategic decision possible. The role of SEA in this respect is to try and reshape the strategic action objective so that it includes environmental and sustainability issues.

Sustainable development is a fundamental and overarching objective of the European Union, enshrined in Article 3 (3) of the Treaty European Union. The issue of sustainable development was included in the Sixth Environmental Action Programme 2001-2010 and the Seventh Environmental Action Programme 2010-2020. Article 11 of Treaty on the Functioning of Europe Union (TFEU) states: “Environmental protection requirements must be integrated into the definition and implementation of the Union’s policies and activities, in particular, with a view to promoting sustainable development.”
EAA-I registered four complaints with the European Commission (2000/4002; 2000/4793; 2002/4311 and 2003/4203) concerning Ireland's failure to comply with Article 3 of the EIA Directive. In March 2011, the ECJ ruled that Ireland had not transposed Article 3 of the EIA Directive. On 6 March 2014, the European Commission informed EAA-I that as the complaints related to issues that were addressed in the first and second grounds of the judgment in C-50/09, it had closed the complaints on 30 May 2013.

The Commission’s letter states that in order to implement the first ground of the judgment, in 2012 and at the beginning of 2013, Ireland adopted a number of legislative amendments in order to fully transpose the requirements of Article 3 of the EIA Directive with respect to the following sectors: planning, aquaculture, aquaculture appeals, arterial drainage, flood risk management, gas and petroleum, foreshore, forestry. The relevant legislative acts are listed below.

The relevant legislative acts included inter alia:

- European Union (Environmental Impact Assessment) (Foreshore) Regulations 2012 (S.I. No. 433 of 2012)

These regulations amend the Foreshore Act and apply to the consideration of foreshore consent applications subject to EIA. These regulations should provide an enhanced effective public participation and information sharing on environmental matters.


In addition, the judgment of Ms Justice Baker in High Court Case [Record No. 2015/50 MCA] delivered on the 16 day of February, 2016 states at paragraphs 52 to 55:

52. “Having regard to the approach identified by O'Donnell J. I consider that the Environmental Commissioner in applying the Regulations must have regard to their purpose, and ipso facto to the Aarhus Convention itself; The Aarhus Convention recognises that public participation relating to the environment is to be achieved, inter alia, by making available to members of the public the information necessary to fully participate.”

53. In the preamble to Aarhus, there was recited inter alia that the parties thereto recognise:

"... that, in the field of the environment, improved access to information and public participation in decision-making enhance the quality and the implementation of decisions, contribute to public awareness of environmental issues, give the public the opportunity to express its concerns and enable public authorities to take due account of such concerns ..."

54. The Convention's stated aim is:
"to further the accountability of and transparency in decision-making and to strengthen public support for decisions on the environment."
55. “The Convention also expressed a desire to encourage “widespread public awareness of and participation in, decisions affecting the environment and sustainable development.” I regard it as important that the Convention acknowledged that the public authorities “hold environmental information in the public interest,” and that approach suggests a broad approach to the question of interpretation is correct.”

The Aarhus Convention addresses fundamental issues, which touch on the very nature of government. Through the obligations it imposes on public authorities, it acts as a simple reminder that civil servants are supposed to serve the public, not to rule over them.

The fundamental objective of the Convention is contained in Article 1, which states:

“In order to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, each Party shall guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters in accordance with the provisions of this Convention.”

Article 6 (1) (a) states that: “Each Party shall apply the provisions of this article with respect to decisions on whether to permit proposed activities listed in annex, I.” Article 6 (4) states that “Each Party shall provide for early public participation, when all options are open and effective public participation can take place.”

Article 9(1) of the European Regulation 1367/2006 on the application of the provisions of the Aarhus Convention states:

“Community institutions and bodies shall provide, through appropriate practical and/or other provisions, early and effective opportunities for the public to participate during the preparation, modification or review of plans or programmes relating to the environment when all options are still open. In particular, where the Commission prepares a proposal for such a plan or programme which is submitted to other Community institutions or bodies for decision, it shall provide for public participation at the preparatory stage.”

The United Nations Economic Commission for Europe (UNECE) in Communication Ref: ACCC/C/16 (Lithuania) gave a general opinion on the issue by stating that the requirement for “early public participation when all options are open” should be seen, first of all, within a concept of tiered decision-making, whereby at each stage of decision-making certain options are discussed and selected with early and effective public participation. The key issue when examining compliance with the obligation to provide for ‘early public participation’ is to check if public participation was permitted at the previous stages.

The legal rules and principles of the European Union not only establish administrative functions and address aspects of the organisation of the actors involved in performing them. They may and do lay down the procedures applicable for administrative rule-making and single-case decision-making. However, this submission as shown a clear violation of administrative transparency.
Conclusion

This submission shows that:

- the application contains misleading information in regard to the nature and extent of the proposed project.

- the EIA Screening for an Environmental Impact Statement (EIS) was carried out by the applicant and not the designated competent authority, which is a violation of many ECJ judgments.

Article 1(2) of the codified EIA Directive 2011/92/EU defines the term 'development consent' as the decision of the competent authority or authorities which entitles the developer to proceed with the project. Article 1(2)(f) states that the competent authorities are to be that or those which the Member States designate as responsible for performing the duties arising from that directive.

- the EIA Screening was not carried out under the codified EIA Directive 2011/92/EU.

- the applicant failed to comply with European case law in respect of the appropriate tiering relationships between SEA and EIA Directives.

- the applicant failed to consider the Aarhus Convention or sustainable development, and 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), both transposed into Irish law to implement the ECJ judgment in Case C-50/09.

Yours sincerely,

David Malone
Eurolaw Environmental Consultant EAA-1
A Cháirde.

[Redaction Request, My personal email address only]

I wish to register my support for this foreshore application with the one proviso that the following condition of grant be stipulated.

'No more than one structure or object that, when deployed, sits proud of the high water mark by 7 metres, is to be concurrently deployed within the area of the foreshore lease over the life of the lease”

Otherwise I would grant the foreshore lease exactly as requested by the Marine Institute and with no further restrictions other than the one above which is intended to retain a general visual amenity over the lifetime of the lease and to allow an adequate unrestricted 360 degree airflow around a high structure if such is deployed. None has been to date over the lifetime of the current lease.

I would like to add my following observations to the above.

1. A hysterical campaign has being conducted by a number of persons in Spiddal against the foreshore lease extension. As a Spiddal resident I find this distasteful as it relies to a huge extent upon arrant misinformation and downright untruth.
2. The hysteria has been whipped up because these campaigners are widely publishing and disseminating material claiming that 3 wind turbines are to be deployed concurrently within the 35 ha (and show such a schematic on their material) and that the 3 turbines will be an "electricity generation station" (protect galway bay is the name for this campaign). They then further allege that fish farms will form part of the basal area of these turbines. This is pure populist hysteria.
3. One prominent campaigner claims to be able to 'hear' wind turbines at a distance of many many kilometres.
4. Another prominent campaigner is attempting to sell a house overlooking the site as he has built another house just nearby, overlooking the self same test site, in recent years. The planning applications postdate the initial use of the test site.
5. The vast majority of objectors are somewhat discomfited at the notion of there being 3 large 65m turbines onsite for 35 years because that is what the campaigners have told them will happen. They are to my mind entitled to some relief from these unfounded fears and a proviso such as the above will deliver that relief without compromising the value of research on subsea and low profile surface or near surface technology that will comprise the vast bulk of the deployments over the course of the lease and which will be largely invisible.
6. No better site exists in reasonable proximity to the Marine Institute, GMIT and NUIG and the anti campaigners have certainly not advanced a case any alternative and suitable site.
Finally let me apologise on behalf of right minded people in Spiddal for the cut and paste pseudo ecological analysis that will form many of the objections. The test site is not in a Natura 2000 designated area, or in an SPA or in an NHA. Nor is it on a migratory route as these naturally follow visible features such as rivers and roads which are all avoided, mainly by locating precisely in the proposed location. A large environmental report forms the bulk of the application material and these anti campaigners all confess to not having read all of it because it is "too long".

Thank you.
From:  
Sent: 02 September 2016 13:11  
To: foreshore  
Subject: Submission Letter - Foreshore Lease Application Number FS006566

Submission Letter:
Seolta ar son: / On behalf of:
Seoladh / Address:
_____________________________________________________________________________________
Guth/En / Tel / Riomhphost / Emai
D/Aeta / Date: 02 Sept 2016

Please confirm receipt of this individual submission referencing the above name.
Submission regarding Foreshore Lease Application Number FS006566  Applicant: The Marine Institute
Application: “Foreshore Lease application to Construct an Offshore Electricity Generating Station”
(Should an extension to the closing date be granted I reserve the right to add further information to this submission)

A chara,
I refer to the above Foreshore Lease Application and **strongly object** to the proposed development. I object on the points outlined below:

**Process**

1. Why has the project been split into 3 smaller projects and the cumulative effect not properly assessed?
   At the public consultation members of the public were advised that they are 3 independent projects and that at some stage, they may all be connected. The screening report specifically states that the test site will be connected to the cable. This is evidence of the poor consultation process and why it is difficult for the general public to fully understand what the real scope of the test site is for

2. Health & Safety in terms of light and noise pollution and visual assessments have been excluded in the screening report

**Public Consultation Process / Local Impact**

1. There was no genuine effort to consult with the general public, and it is only through local community activity that the general public have been notified. Evidence of this can be confirmed by the several extensions given to the public consultation process.

2. The title of the application is very misleading and not consistent with the documents to support the application.

   Application Title: Application for lease to construct an off shore electricity generating station
   Other Titles: Marine and Renewable Energy Test Site
   This is very misleading and difficult for the general public to understand what is actually included in the lease application.

3. In the environmental report, it stated ‘Local Fisherman’ was consulted with, in relation to this application. The identity of the ‘Local Fisherman’ has not been disclosed. If this person was speaking on behalf of the fishing community, this consultation should have been official and the name(s) released.

4. The environmental report states that this development would bring employment and economic benefits to the local Spiddal community, specifically it states: ‘the ocean energy test site is expected to stimulate the local economy and contribute to the vitality of the local community’.
   There is no evidence to suggest that the test site will benefit the local Spiddal economy. The statement is vague and misleading and should not be included in the report

**Visual**

1. There was no realistic representation of all long-term and temporary infrastructures which could be on site - i.e. the three devices, during daylight and night-time in good weather conditions.)
2. There was no maximum size (in 3 dimensions) / colour / lighting details for all devices and infrastructure that will be located on the test site.

3. I do not believe light pollution has been adequately addressed in the screening report.

4. Most of the photo montages look like they have been deliberately manipulated to make the wind turbine ‘blend’ in with the sea / view. The time / date for the photo montage was on a misty November Sunday morning, looking into the low rising sun. In some of the montages, it is difficult to even see the burren landscape, which can be seen clearly from Spiddal.

5. The Photo montage only included a single turbine, did not include the cardinal markers (at their correct size), the permanent sea station or any of the other devices that are likely to be co-located in the test site.

6. Based on the quality of the visualisation / montage provided, it is difficult for the local community to truly understand the impact of the test site.

7. Based on the quality of the visualisation / montage provided, it is difficult / near impossible for any people / bodies who have not visited the site, and are reliant on the documentation provided to make a true assessment of the visual impact of the proposed site.

8. I disagree with the following assessments made in the environmental report:

   It states ‘In this regard, it is considered that the section of coastline in question is not synonymous with the wild Atlantic to the degree that much of Ireland’s west coast is’
   How is this a valid statement? Galway bay is one of the most iconic sections of coastlines in Ireland.
   It then goes on to state:
   ‘This coastline therefore has an anthropogenic character and the continuing use of the Galway Bay Marine and Renewable Energy Test Site is not considered to significantly conflict with the seascape values associated with the northern portion of Galway Bay.’
   The MI did not consider the southern portion of Galway Bay, and the Burren, and the impact to these views. In my opinion, this assessment loses all credibility when it totally ignores that this site will be in close proximity and within the views of the Burren and the Aran Islands. Instead of assessing these properly, they were ignored.
   Even more alarming, when the visual assessments are discussed in detail, the report seems to focus on the Slieve Aughty mountains, approx. 40km away in the distance, as much as it does on the view of the immediate / close Burren and Aran Islands etc.,

   **Question for the Minister**
   Is the minister satisfied that the application and approval is fair, unbiased, accurate, complete and objective?
Marine Planning and Foreshore Section,
Department of the Environment
Community and Local Government,
Newtown Road,
Wexford.

Date: 3rd September 2016.

REF: Objection to the Granting of Application No. FS006566 'Application for a foreshore lease for the construction of an Offshore Electricity Generating Station'

To Whom It May Concern,

I am writing to object to the granting of the above application for the following reasons:

- Serious lack of information provided and dialogue by the Marine Institute or Smart Bay Limited with Residents, Businesses, wider community and other Governmental bodies with regard to the proposed Foreshore lease and construction of the 'Offshore Electricity Generating Station'.

- I believe that the proposed Electricity Generating Station would destroy the beautiful panoramic view of Galway Bay from both the County Galway and County Clare coastlines.

- Galway bay is an area of high scenic amenity and therefore both domestic and international tourism will be affected as a result.

- No Independent Environmental Impact Assessment has been carried out.

- Serious concerns of the potential water and noise pollution, in addition to the negative impact on the marine and wild life.

I would be grateful for an acknowledgement of my letter of objection to the ‘Application for a foreshore lease for the construction of an Offshore Electricity Generating Station’ by your Department.

Yours Sincerely,
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends on 2nd September 2016 cannot be considered.

Sender address:

I, am making the following objection on my own behalf.

I object to the granting of Application FS006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
- This project is part of a larger development including Application FS005751, Application FS006611 and Galway County Council Application 13/947. The intention of the EIA Directive is that no project likely to have significant effects on the environment should be exempt and project splitting cannot be used to circumvent the intention of the Directive.
- The cumulative impacts of FS006566, together with the above applications and other developments on the receiving environment of Galway Bay have not been included at the screening stage and therefore have not been assessed as required by law.
- I have been deprived of an Environmental Impact Statement and therefore do not have the information I need to assess the impact this development will have on my quality of life, my health and wellbeing. This application does not provide any External Bodies Consultation information from an Independent Environmental NGO to inform me or the Minister deciding on this application.
- The impacts of the proposed development on the sensitive area of Galway Bay, its legally protected species and Habitats, have not been Appropriately Assessed as required by law.
- I do not understand why Tourism has not been considered in this application. The impact on tourism has implications at National and Local level in terms of revenue, employment and rural depopulation.
- I have not been properly informed and I have not been consulted and included in the decision making process with regard to this application as required under the Aarhus Convention.
- Due to the manner in which the public consultation process has been conducted, I have been deprived of my democratic right to representation by my elected public representatives during a large part of the consultation period. Questions not answered at a public meeting on the 21st of July regarding this application, the day the Dáil closed, remain unanswered. My public representatives are largely unavailable and are in any case without a forum in which to raise my questions and receive answers I can rely on. Requests by my representatives to remedy this situation have not been granted by the Minister responsible.
- I do not understand why a 35 year Lease is being considered because, if granted, it will shackle future Governments, and subject the public and generations to follow with unassessed and unimagined consequences.

Therefore, I ask the Minister to refuse to grant this application.

Signed, Date 4/.../2016

I reserve the right to add to my submission, should further concerns arise in light of information not presently available to me.
Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered.

Sender address:  

I, am making the following objection on my own behalf. Wexford.

I object to the granting of Application F5006566, “Application for a Foreshore Lease for the Construction of an Offshore Electricity Generating Station” on the following grounds:

- EU and Irish Law sets out a process whereby any development likely to have significant effects on the environment cannot be exempt from an EIA, unless a comprehensive screening of the project with regard to its potential impacts on the receiving environment rules out the need for an EIA. This proposed development has not been adequately screened, as required by law. The size, nature, and location of the project must be considered in determining if an EIA is required and this has not been done.
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Therefore, I ask the Minister to refuse to grant this application.

Signed, 

Date: 

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Submissions can be made to: Marine Planning and Foreshore Section, Department of the Environment, Community and Local Government, Newtown Road, Wexford, Co. Wexford or foreshore@housing.gov.ie

Submissions received outside of the public consultation period which ends 9th September 2016 cannot be considered.

Sender address:

I, am making the following objection on my own behalf. Wexford

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Signature

Date.../2016

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