

foreshore

From: Foreshore EPA Marine
Sent: 13 May 2016 11:46
To: foreshore
Subject: Foreshore Licence application FS006566 by the Marine Institute

Re: Foreshore Licence application FS006566 by the Marine Institute

A Chara

On behalf of the Department of Arts, Heritage and the Gaeltacht, I refer to the above.

Outlined below please find the Underwater Archaeology & Nature Conservation observations.

Nature Conservation

The Department of Arts, Heritage and the Gaeltacht would note that the construction and operation of the renewable energy test site is unlikely to have a negative interaction with Natura 2000 nature conservation sites due to the nature and location of the works.

It is recognised that an evaluation of the potential interaction with marine mammals is clearly presented in the documentation circulated in support of the Foreshore Lease. Included in the "Appropriate Assessment Stage 1 Screening Report: For the Marine and Renewable Energy Test Site in Galway Bay" are a series of mitigating measures. The following should be attached as a condition of consent:

- Presence of a trained experienced Marine Mammal Observer (MMO) to implement the NPWS best practice guidelines when all work is taking place and to implement appropriate buffer zones in good sea-state.
- Target work to take place when porpoise presence is at its lowest *e.g.* during the spring or early summer
- If bow thrusters are required on installation vessels, they should be covered to prevent collision with marine mammals
- Only carry out observations (and therefore work) during daylight hours (this will also minimise risk of bird and mammal collision with vessels)
- Carryout SAM at the site during and after installation works to assess if avoidance behaviour is recorded and if so for how long it lasts.
- Design devices for minimal impact of collision risk
- Plan operations efficiently to minimise the number of trips that the service vessel must make.
- Avoid sensitive time periods for local receptors
- Use low toxicity and biodegradable materials
- Design infrastructure for minimum maintenance
- Design devices to minimise risk of leakage of pollutants

In addition, although a clear effort has been made by the proponents of the project to evaluate the potential interaction with the marine environment and natural features therein the proposed test and evaluation nature of the site will suggest that it is not possible to fully understand the potential interaction for every conceivable device that may be deployed. In order to ensure that an evaluation of potential interaction can be made prior to deployment the developers or project managers must forward to the Competent Authority a detailed description of the ocean energy collecting device. Information which should be included in this notification would be the likely sound pressure and frequency of noise likely to be generated once operational or during installation and a consideration of the potential collision risk posed to marine mammals. This is to ensure that the device is compliant with the provisions of both Section 23 of the Wildlife Act 1976 (and amendments) and Regulation 54 of the European Communities (Birds and

Natural Habitats) Regulations of 2011. It may be necessary in some circumstances to seek consent of the Minister of this Department.

Underwater Archaeology

The Department have no further Underwater Archaeology comments on the above application.

Mise le meas,

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*An Roinn
Ealaíon, Oidhreachta agus Gaeltachta
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