REPORT OF THE MARINE LICENCE VETTING COMMITTEE (MLVC)
on
FORESHORE LICENCE APPLICATION FOR MARINE SITE INVESTIGATION
and INSTALLATION OF SUBSEA CABLE ON THE FORESHORE WITH
LANDFALL AT PORTRANE Co DUBLIN (FS006842)

APPLICANT: ROCKABILL CABLE SYSTEM LTD

Mr P. J. Shaw
Marine Licence Vetting Committee
25TH February 2019
Project Description

Rockabill Cable System Ltd has submitted an application for a Foreshore Licence to carry out pre installation site investigations in the Irish Sea and subsequent installation of a subsea fibre optic cable on the foreshore with landfall at Portrane Co Dublin. This cable will cross the Irish Sea with a UK Landfall location at Cleverleys in Lancashire. The location of the proposed site investigations area and cable route (to be situated within the survey route corridors) is shown in the following drawings submitted by the applicant:

- Drawing number 1319-A-011 ‘Foreshore Licence Map 1 Inshore Section dated 23/5/2018
- Drawing number 1319-A-012 ‘Foreshore Licence Map 2 Offshore Section dated 23/5/2018
- Drawing number 1319-A-008 ‘Site Location Map Landfall at Portrane ‘ dated 27/3/2018

The proposed survey corridor will be 500m wide centred on the route shown to the 12 Mile limit and will take up an area within foreshore domain of 17.45km².

The post lay area of cable on foreshore from landfall at Portrane to the 12 Mile limit will take up a total area of 0.035m² (nominal main lay swathe 1m wide to 12 Mile limit )

The proposed works on the foreshore are described in detail in the “Planning Report”, dated May 2018 submitted by the applicant and involves a number of elements which include:

**PRE INSTALLATION SURVEY**

This survey is intended to supplement existing survey data and involves the collection of bathymetric, sidescan sonar, sub-bottom profiler and magnetometer data along the proposed cable route. A method statement and specific details of the surveys are set out in the document entitled “Rockabill System Specification for Pre-Installation Survey”, dated May 2018 presented as Appendix 2 of the Planning Report. The survey methods to be used are non-intrusive and there will be no direct impact on the water column or seabed.

A non-intrusive topographic survey of the beach along the line of the proposed cable route is also proposed from the shoreline to the low water mark. The survey will consist of;
3 No. Trial Pits on the beach (2.5m depth, excavated and immediately reinstated by JCB)

- 24 Bar probes on the beach
- 20 Bar probes from the Low Water Line to the 3 metre contour

Additionally it is proposed to collect 2 No grab samples for the 3m to the 15m depth contour and 6 No. gravity cores (no less than 2m deep core) or cone penetration test from the 15m contour to the 12nm limit.

Given the largely non-intrusive nature of the survey methodology proposed it is anticipated that significant impacts on the marine environment are not likely

**CABLE LAY**

The proposed cable installation consists of the following elements:

**Landfall at Portrane**
It is intended that a Beach Manhole is to be constructed in the grassland area west of the road at Portrane (not on foreshore). The manhole will be 3m x 2m x 2m deep and is to be constructed in reinforced concrete. It is planned that the shore end will be installed by means of Horizontal Directional Drill (HDD) which will be carried out in advance of the cable lay. It is planned that the drilling will be located in the green immediately off the public road. The drill casing will commence in a pit 1.5m below ground level and this will enable it to cross below the road and well below existing beach level at the shoreline. The drill casing terminates in a flat sandy foreshore at a depth of 1.5m below beach level and 60m from the shoreline. All residues will be disposed of in accordance with the requirements of Fingal Co Co. After pipe inspection/testing a messenger line (3/8’ wire rope) will be installed and a cap fitted to prevent the ingress of any sediment and/or debris.

**Cable Installation on the beach and inshore area**
It is intended that the cable installation, from the end of the Horizontal Directional Drilling (HDD) out to the Low Water Mark, will be installed by a cable plough at low tide. The cable will be inserted into the HDD duct and pulled ashore into the Beach Manhole where it will be secured. A cable plough will then be pulled by a low pressure dozer out to Low Water with the cable being inserted as the plough moves seaward. Target burial depth is 1.5m. At the Low Water Line the dozer will be uncoupled from the cable plough and will then reverse towards the shoreline in the same track and will backfill the plough trench by backblading towards the shore in
advance of the flood tide. The cable plough will then be attached to the Shallow Draft Lay Vessel and the deployment and burial of the subsea cable will continue to the 15 metre depth contour where the Main Lay Vessel will take over.

**Offshore cable installation** –

Prior to the commencement of main cable lay it is proposed to carry out a Pre Lay Grapnel run to ensure that the planned cable route is clear of seabed debris (e.g. chains, steel cables, anchors, nets etc.). Any debris recovered will be hauled on board for disposal at an appropriate landfill site. The Main Lay vessel will pick up the end of the cable for the inshore section and this will be jointed to the main cable. The Main Lay vessel will then proceed to deploy and bury the cable in the seabed using a sea plough which is towed by the Main Lay vessel and is designed to bury the cable at a depth which will be secure from fishing activities. The plough will create a furrow in the seabed of app. 750mm in width which, post cable-lay, backfills with the natural movement of sediment on the sea floor. Typical ploughing speed will be less than 1 knot. The target burial depth for the cable is 1.5m. In areas of stiff soil, the actual burial depth may be reduced but it is planned to be still at a depth which will protect the cable from fishing activities and generally not less than 0.4 to 0.6m subject to the nature of the geophysical nature of the seabed and burial assessment and risk categorisations.

It is intended that the Site Investigations / surveys would be carried out in April 2019 and take 1 week to complete. The shore-end installation works are intended to be carried out in June 2019 and would also take 1 week to complete. The main cable lay is planned for June – August 2019. It is anticipated that the overall works would be completed in 5-months, subject to any issues arising from the licencing process, weather conditions or operational factors.

Given the largely non-intrusive nature of the proposed pre-installation survey significant impacts on seafishing in the area are not considered likely. Similarly, significant impacts on seafishing in the area resulting from the proposed pre cable lay grapnel run are also not considered likely. There is, however, the possibility of interaction with fishing activity in the cable laying corridor during the cable laying operation. It is considered that this will be temporary in nature and of short duration. It is noted that the applicant, as a mitigation measure has stated that:
"Representatives of the local fishing fleets will be contacted and made aware of planned operations. Arrangements will be put in place to provide next-day position forecast throughout the cable-installation period."

It is the MLVC’s view that liaison and communication with local fishermen in advance of and during the cable laying operation is a key element in ensuring that interactions with commercial fisheries are minimised. It is recommended that the appointment of a Fisheries Liaison Officer be a specific condition of any licence that may be granted. In the public bodies submissions from DAFM and MI emphasised this matter with which the MLVC agrees.

The project is not of a class that requires the submission of an Environmental Impact Statement.

**Appropriate Assessment**

The following NATURA 2000 sites are within 15km of the proposed cable route, survey corridor and landfall:

Rockabill to Dalkey Island  SAC (003000)-cable route passes through this SAC-  
Rogersstown Estuary SAC (000208) - cable route and survey corridor pass through this SAC-  
Lambay Island SAC (000204)-1.7km from route corridor-  
Rogerstown Estuary SAC (000205) -2.19km from cable route corridor-  
Baldoyle Bay SAC (000199)-8.3km from cable route corridor-  
Ireland’s Eye SAC (002193)-9.6km from cable route corridor-  
North Dublin Bay SAC (000206)-11.7km from cable route corridor-  
Howth Head SAC (000202)-12.1km from cable route corridor-  

Rockabill SPA (004014)-3.5km from cable route corridor-  
Rogersstown Estuary SPA (Code 004015) - cable route corridor passes through this SAC-  
Lambay Island SPA (Code 004069)-1.7km from route corridor-  
Broadmeadow/Swords Estuary SPA (Code 004025) -4.0km from survey route corridor-  
Skerries Island SPA (Code 004122)-5.7km from survey route corridor-  
Baldoyle Bay SPA (Code 004016)-8.8km from cable route corridor-  
Ireland’s Eye SPA (Code 004117)-9.1km from cable route corridor-  
Howth Head Coast SPA (Code 004113)-11.9km from cable route corridor-  
North Bull Island SPA (Code 004006)-12km from cable route corridor-  

A Natura Impact Assessment and Ecological Assessment were carried out for the Cable Lay project. These assessments were carried out by Altemar Ltd and are presented in Appendix 4 and 5 respectively within the Planning Report.
These conclude that there is no significant impact, individually or in combination with other plans or projects, on Natura 2000 Sites or their site specific conservation objectives in either the intertidal or subtidal elements of the project. However, a series of mitigation measures and construction controls are proposed and it is recommended that these should be carried out in consultation with an ecologist. The MLVC concurs with this recommendation and an appropriate Licence Condition is proposed to address this (see below).

A separate assessment of the impacts of the proposed site investigations on the Conservation Objectives of these Natura 2000 site has been carried out by the MLVC and Department.

The MLVC notes that it is intended that all marine surveys, site investigations and cable lay operations will be carried out in compliance with NPWS (2014) “Guidance to Manage the risk Marine Mammals from Man-made Sound sources in Irish Waters”.

Public Consultation

Public notices concerning this application were published in the “Irish Examiner” and the “Dublin North Gazette” on 28/06/2018. The public display documents were made available at the Swords Garda Stations and were also available on the Departments website for the required period of twenty one (21) working days from 28/6/2018.

Two (2) public submissions were received on foot of the public consultation.

The main issues raised in the public submissions were:

- Potential Impacts on coastal erosion and to ensure no conflict with future coastal protection schemes.
- Potential redevelopment of old pier and slipway at Portrane. Ensure any proposed cable route stays at least 50m away from this.
- Potential impacts to fragile ecosystem SAC and SPA and may set back any planned works to protect erosion of sand dunes.
- Cable lay will require part destruction of an existing coastal defence steel sheet piled wall.
- Beach Manhole requires Planning Permission (this is a non-foreshore matter).
Prescribed Bodies Consultation:

Observations on the project were received from this Department’s Water and Marine Advisory Unit, the Development Applications Unit of DCHG (Nature Conservation and Underwater Archaeology), Aquaculture and Foreshore Management Division of DAFM, Marine Institute, and Marine Survey Office.

There were no objections in principle to the proposed site investigations. Some of the submissions from the Public Bodies raised particular observations and put forward suggested conditions to be included in the Foreshore Licence to address their specific interests. The final list of recommended conditions as proposed below address these matters:

MLVC Assessment

The following documents were considered and assessed:

- Foreshore Licence Application and supporting documentation.
- Written submissions from the Water and Marine Advisory Unit of DHPLG, the Development Applications Unit of DCHG (Nature Conservation and Underwater Archaeology), Aquaculture and Foreshore Management Division of DAFM, Marine Institute, and Marine Survey Office
- The applicant’s responses to the Prescribed Body submissions.
- The public submissions received
- The applicant’s responses to the public submissions

Review of Public submissions and Applicants responses:

The proposed cable route lies app 300 m to the south of the dune system at the “Burrow” which is the prime area of coastal erosion. It is noted that Fingal Co Co have engaged RPS Consultants to undertake a study of the coastal erosion in this area and to put forward proposals on any future sheet piling that may be proposed to the southern end. The Applicants have liaised with the Consultants who have confirmed that “there is no new sheet piling included within the current proposed works”. The Applicants have demonstrated that the proposed cable route lies to the south of the existing sheet pile wall and is clear of the termination point at the southern end therefore it will not require part destruction or any intrusion to the existing coastal defence sheet piled wall. Notwithstanding this the benefit of the use of Horizontal Directional Drill at the landfall, would enable a relatively simple localised engineering solution to be developed. The MLVC is
satisfied that the installation of the cable at proposed landfall would not inhibit any future extension of the sheet piled wall.

Cable laying in the seabed is not significant engineering works. It is transient, localized and low physical impact operation and involves temporary disturbance of a narrow strip of sea bed with natural reinstatement taking place within an extremely short time period. The installed cable is only 39mm in diameter and at landfall the cable will pass beneath the coastline in a pre-installed Horizontal Directional Drill Duct extending to 60m from coastline. The area of influence by the cable installation is localised and any seabed disturbance is temporary. The trenching and cable lay techniques are standard practice and the general experience for sandy beaches where cables have previously been laid (Sandymount and Sutton among others) is that in no case has there been any physical, environmental or ecological knock on effects. The narrow cable trench will be mainly restored by natural wave action of the advancing tide mostly in one tidal cycle and is fully restored over a short period of time. The MLVC is satisfied that there will be no significant impact to the fragile ecosystems and any planned future works to protect any further erosion of the sand dunes.

The line of the cable route is 45m off the coastline at the “Quay” and this offset increases to 170m at the headland. Therefore the proposed cable route should not interfere with any potential redevelopment of the old pier and slipway at Portrane.

**MLVC Conclusions**

Given the non-intrusive nature of the proposed pre-installation survey, significant impacts on sea fishing in the area are not considered likely. Similarly, significant impacts on sea fishing in the area resulting from the proposed pre cable lay grapnel run are also not likely. However there is the possibility of interaction with fishing activity within the cable laying corridor during the cable laying operation. It is considered that this will be temporary in nature and of short duration. However it is both the Marine Institute and DAFM’s considered view that liaison and communication with local fishermen in advance of and during the cable lay operations is a key element to ensuring that interactions with commercial fisheries are minimised. The Marine Institute recommend that the appointment of a “Fisheries Liaison Officer” be a condition of any licence that may be granted. The MLVC would agree with this and notes that as a mitigation measure the applicant stated that “representatives of the local fishing fleets will be contacted and made aware of planned operations. Arrangements will be put in place to provide next day position forecast throughout the cable installation period”.

On the basis of the information provided by the applicant, the observations provided by the Prescribed Bodies as listed above, the MLVC concludes that, subject to compliance with the specific conditions set out below, the proposed
works would not have a significant negative impact on navigation, fishing, the marine environment or protected species, would not impact on other legitimate uses or users of the foreshore area in question and would not have a significant effect on the qualifying interests of the adjacent Natura 2000 sites. The MLVC, therefore, recommends that a licence be granted.

**Proposed Licence Conditions**

1. The Licensee shall use that part of the foreshore the subject matter of this licence for the purposes as outlined in the application and for no other purposes whatsoever.

2. The Licensee shall ensure that the works are carried out and completed in accordance with the plans and particulars lodged with the application.

3. Further to 2 above all operations shall be undertaken in accordance with the methodologies as outlined with reference to the “Planning Report” dated May 2018 and also as outlined in the “Specifications for Cable Installation” document dated May 2018 and “Specifications for Pre Installation Survey” dated May 2018 as appropriate.

4. The Licensee shall ensure that all environmental management and mitigation measures set out in the “Planning Report”, dated May 2018 and also as outlined in both the ‘Natura Impact Statement’ document dated March 2018 and “Ecological Impact Assessment” document dated March 2018, accompanying the application, are implemented.

5. The Licensee shall appoint a Fisheries Liaison Officer (FLO) who will consult with the SFPA and relevant fishermen’s groups in order that appropriate actions can be taken to avoid or minimise interactions with ongoing fishing activity in the area during the course of the pre installation survey and cable laying operations on the foreshore.

6. The Licensee shall notify the Department of Housing, Planning and Local Government at least 14 days in advance of the commencement of the works on the foreshore.

7. During the course of the works in the intertidal area, public access onto and along the adjacent foreshore shall be maintained.

8. No refuelling of equipment, machinery or plant shall take place on the foreshore.

9. No storage of machinery or plant shall take place on the foreshore.
10. During the course of the pre-installation survey and cable lay operations the Licensee shall ensure that all necessary precautions are put in place to protect the public in accordance with relevant Health and Safety Legislation.

11. During the course of the pre-installation survey and cable lay operations the Licensee shall ensure that procedures are adopted to ensure that these operations are not injurious to fishing, navigation, adjacent lands or the public interest.

12. The cable shall be installed as detailed in the submitted “Planning Report” dated May 2018 and in particular the submarine cable shall be laid within the route corridor as outlined on Drawing No 1319-A-012 entitled “Foreshore Licence Map 2” dated 23/5/2018 - as part of this application unless otherwise varied and approved by DHPLG. A drawing including a route position list detailing the “as laid location” for the submarine cable shall be submitted to DHPLG on completion of the cable installation works.

13. The Licensee shall ensure that the target burial depth for the length of the near shore (beach, shallow and intertidal zones to LWM) foreshore involved shall be at least 1.5 M as per application documents with a target minimum depth for offshore burial as set out in the application documents.

14. Further to Condition 13 above a report detailing the location of any part of the cable that was not laid to the full planned depth (including areas where rock armour or equivalent protection was deemed necessary) should be submitted to DHPLG on completion of the cable installation works.

15. All cable lay, survey and other vessels/floating plant used in connection with the works shall have appropriate certification from the Marine Survey Office.

16. The Licensee shall arrange with the Maritime Safety Directorate (MSD), Department of Tourism Transport and Sport, Leeson Lane, Dublin 2, the publication of a Marine Notice to be issued by the Irish Maritime Administration. A further notice shall be published in a locally read newspaper. These marine notices shall give a general description of operations, including locations and approximate dates of commencement
and completion of works and a clear statement referring to marine safety broadcasts as arranged with the Irish Coast Guard.

17. On completion of the Site Investigation works/surveys and cable lay the Licensee shall ensure that all equipment and materials are removed and the foreshore is reinstated to its original condition, to the satisfaction of the Department of Housing Planning, and Local Government.

18. All material/debris collected as a result of the proposed pre-lay grapple run shall be disposed on shore to a licensed Landfill site in accordance with the appropriate Waste Disposal Legislation subject to the appropriate agreement and approval of Fingal County Council.

19. All relevant Site Investigations and marine surveys and cable lay operations shall comply with the NPWS (2014) “Guidance to Manage the risk Marine Mammals from Man-made Sound sources in Irish Waters” including the employment of a Marine Mammal Observer as appropriate.

20. Any crossings of in situ and future cables or pipelines will be in accordance with the ICPC Recommendations (2014) and Specifically Recommendation No 3. A copy of all relevant cable crossing agreements reached within the foreshore domain shall be submitted to DHPLG within one month of any such agreement being reached.

21. The proposed Pre-installation Survey as outlined in Appendix 2 of the submitted planning documentation should be carried out in full prior to commencement of main-lay operations. These surveys should be licenced under the National Monuments Acts 1930-2004. The results of the surveys should be assessed by a suitably qualified archaeologist and results outlining the results of the surveys should be forwarded to the National Monuments Service for review. Where the location of any wreck site or potential wreck site is established near or along the cable route, the cable shall be re-routed to avoid them.

22. Should the proposed cable route be subject to further revision, details of these revisions should be forwarded to the project archaeologist and the National Monuments Service for assessment.

23. Having reviewed the results of the proposed marine surveys mentioned above, the Department of Culture Heritage and the Gaeltacht (DCHG) may require further archaeological mitigation should archaeological
material be discovered during the programme of works. DCHG shall advise on these matters.

24. The applicant is required to engage the services of a suitably qualified archaeologist to carry out an intertidal and archaeological dive survey of the potential impacts of the development/proposed works on the foreshore and outward to the small boat survey limits.

25. The archaeologist should carry out an intertidal and dive survey accompanied by a metal detection of the proposed area to be impacted by the proposed cable works. The dive and metal detection surveys should be licensed under the National Monuments Acts 1930-2004 and carried out by an archaeologist suitably qualified in maritime archaeology.

26. The assessment should also include a detailed archaeological impact statement including a detailed description of the proposed works and the impact they will have on known and/or potential archaeology.

27. Having completed the work, the archaeologist shall submit a written report to DHCG.

28. Where archaeological material/features are shown to be present, preservation in situ, avoidance, preservation by record (archaeological excavation) or archaeological monitoring may be required. The applicant shall be prepared to be advised by the Department of Culture, Heritage & the Gaeltacht in this regard.

29. An exclusion zone of at least 100m should be established around the furthest known extent of known wrecks located along the proposed cable route and any potential wreck sites discovered during the proposed marine surveys and development works. The developer shall inform DHCG in the event that route changes impinge on such exclusion zones. A map showing the location of all exclusion zones in relation to the proposed cable route should be forwarded to the National Monuments Service prior to the cable laying works proceeding.

30. In order to ensure the preservation of potential archaeological sites, wrecks and features the applicant is required to engage the services of a suitably qualified underwater archaeologist to monitor all disturbance works associated with the development including beach preparations.
works and foreshore works at the landfall, pre-lay grapnel run operations and cable burial operations. The archaeological monitoring shall be licensed under the National Monuments Acts 1930-2004.

31. Should archaeological material be found during the course of monitoring, the archaeologist shall have the work in that area suspended, pending a decision as to how best to resolve the archaeology. The applicant shall be prepared to be advised by the Department of Culture, Heritage and the Gaeltacht with regard to any necessary mitigating action (e.g. avoidance, preservation in situ or excavation). The applicant shall facilitate the archaeologist in recording any material found.

32. The Department of Culture, Heritage and the Gaeltacht shall be furnished with a report describing the results of the monitoring and if significant archaeological remains are found further archaeological mitigation may be required. The applicant shall be prepared to be advised by DCHG in this regard.

33. The Licensee shall consult fully with the Irish Coast Guard and relevant local harbour authorities for improvement and safety of traffic management during the course of the works.