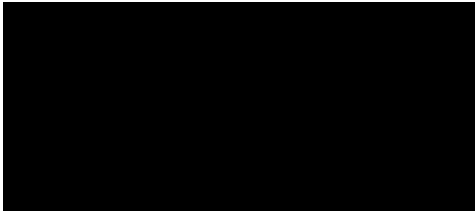





Screening for Appropriate Assessment Determination on Foreshore Application FS007188 RWE Renewables Ireland Ltd., Site Investigations for the proposed Dublin Array offshore wind farm

REF #: HLG 00294-22 AUTHOR: 
TO: Minister of State Burke OWNER: 
STATUS: Review REVIEWERS: 
PURPOSE: For Decision and Signature DECISION BY: 
DIVISION/OFFICE: Foreshore

SEEN AND APPROVED: _____

Peter Burke

DATE SIGNED: _____

23/6/22

Action required

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

Executive summary

RWE Renewables Ireland Limited (RWE) applied for a Foreshore Licence under the Foreshore Act to undertake site investigations off Dublin & Wicklow to establish cable routes & landfall for the proposed Dublin Array wind farm.

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

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

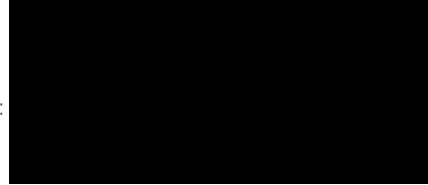
In accordance with Regulation 42(6) of the European Communities (Birds and Natural Habitats) Regulations 2011 SI 477 as amended, the Department of Housing, Local Government, Heritage has made a determination following screening that an Appropriate Assessment is required as the project, individually or in combination with other plans or projects, is likely to have a significant

Submission HLG 00294-22: Screening for Appropriate Assessment Determination on Foreshore Application FS007188 RWE Renewables Ireland Ltd., Site Investigations for the proposed Dublin Array offshore wind farm

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

AUTHOR:
OWNER:
REVIEWERS:

DIVISION: Foreshore
DECISION BY:



Final comment

Signed by minister, 23/06/2022

Action required

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

Executive summary

RWE Renewables Ireland Limited (RWE) applied for a Foreshore Licence under the Foreshore Act to undertake site investigations off Dublin & Wicklow to establish cable routes & landfall for the proposed Dublin Array wind farm.

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

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

Detailed information

Overview

RWE Renewables Ireland Limited (RWE) are applying for authorisation to undertake a geotechnical and geophysical site investigation for the *proposed* Dublin Array offshore wind farm development, in addition to ecological and wind, wave and current monitoring. The purpose of the proposed site investigations are to collect geophysical, geotechnical, ecological and metocean data from the proposed array area, export cable corridors and related landfalls.

The objectives of the site investigations are:

- To provide an understanding of ground conditions to refine the foundation design, sizing and installation methodology and to finalise cable route and landfall design and installation methodology.
- To authorise ecological monitoring which may be required prior to any construction of the wind farm commencing in accordance with Guidance on Marine Baseline Ecological Assessments & Monitoring Activities for Offshore Renewable Energy Projects, DCCA, 2018.
- To provide a longer term data set of wind, wave and current measurement to optimise the wind farm design.

The Foreshore Licence application is solely for the purposes of completing these site investigation and monitoring activities.

The possible output of the final development is circa 600 MW to 900 MW (subject to technical and environmental assessments).

The Site Investigation will take place off the coast of Counties Dublin and Wicklow.

The Dublin Array project was initially developed by Saorgus Energy Ltd a privately-owned Irish company specialising in the development of large wind energy sites in Ireland. In March 2018 Innogy Renewables Ireland Ltd entered into a 50:50 partnership with Saorgus Energy to take the project forward. In July 2020 the global renewable energy portfolios of E.ON and Innogy combined to form RWE Renewables.

Environmental Assessment.

As part of the assessment of the foreshore license application, Arup were commissioned as Independent Environmental Consultants to conduct a Screening for Appropriate Assessment (stage 1 screening) and, if required, an Appropriate Assessment (stage 2) of the likelihood of significant impact on Natura 2000 sites from the application for a Foreshore Site Investigation Licence.

Application documents submitted by RWE Renewables informed the Screening for Appropriate Assessment. These are:

- Investigative Foreshore Licence Application Form (ORE)
- Foreshore Licence Site Investigation Area Map
- Annex A. Co-ordinates of Proposed Foreshore Licence Area
- Annex B. Drawings showing activity locations
- Annex C. EIA Screening and Environmental Report
- Annex E - Report to inform Appropriate Assessment Screening
- Annex F - Applicant's Natura Impact Statement
- Public Submissions
- Applicant's Response to Public Submissions
- Prescribed Bodies Observations
- Applicants Response to Prescribed Bodies Observations

The Department's Foreshore Notice website, containing the documents is:

<https://www.gov.ie/en/foreshore-notice/96643-fs007188-rwe-renewables-ireland-site-investigations-for-the-proposed-dublin-array-ore-development/>

Public Consultation under Section 19 of the Foreshore Act 1933

This application for a Site Investigation licence was open for public consultation between 18 November 2021 and 17 December 2021. There were 17 submissions from the public.

The consolidated Public Submissions document can be viewed at the link above. RWE's Response to Public Submissions document can be viewed at the link above.

Prescribed Bodies Consultation

Observations were sought and received from the Marine Institute, NPWS Development Applications Unit and Underwater Archaeology Unit, Dublin City Council, Inland Fisheries Ireland, Marine Survey Office, Wicklow County Council, the Department of Agriculture, Food and Marine -Foreshore Section, the Marine Advisors of the Department of Housing, Local Government and Heritage. The Sea Fisheries Protection Authority did not reply to the request for observation.

The consolidated Prescribed Body Observations can be viewed at link above. Oriel's Response to Prescribed Bodies Observations document can be viewed at the link above.

Independent Environmental Report

Arup were engaged as Independent Environmental Consultants (IEC). They completed the Screening for Appropriate Assessment technical review on 27 May 2022. It concluded that, a Stage 2 Appropriate Assessment was required as the project, individually or in combination with other plans or projects, is likely to have a significant effect on European sites.

This Screening for Appropriate Assessment technical review, along with all relevant material, was considered by the Department's Marine Environment Advisor who agreed with and accepted the IEC's report and its conclusions.

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

In accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended ('The Regulations'), the Department of Housing, Local Government and Heritage has undertaken Screening for Appropriate Assessment (AA) to assess, in view of best scientific knowledge and the conservation objectives of relevant European sites, if the proposed project for site investigation off the coast of Counties Dublin and Wicklow, individually or in combination with other plans or projects, would be likely to have a significant effect (s) on a European site(s).

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

Risk Assessment for Annex IV Species

Article 12 of Directive (92/43/EEC) (as amended) (Habitats Directive): Risk Assessment for Annex IV species likely to occur in Irish waters.

Following a review of the applicant's environmental reports the IEC concluded that with the implementation of the Department of Arts, Heritage and Gaeltacht (DAHG) 2014 mitigation measures it is very unlikely that there will be negative residual impacts from the proposed works on Annex IV species. It is also very unlikely that any of these animals will be injured or killed as a result of the proposed works.

It should be noted that this risk assessment is not part of the Article 6.3 assessment and therefore identification and inclusion of mitigation measures within the risk assessment is appropriated at this stage.

A copy of all the material which informed the Screening for Appropriate Assessment report is linked above.

Tab 1 contains [The Screening for Appropriate Assessment Report](#), prepared by the the IEC, Arup.

Tab 2 contains [The Marine Advisor Environment Screening Stage Report](#), prepared by the Department's Marine Environment Advisor.

Tab 3 contains [The Screening Determination for Appropriate Assessment](#), prepared by the Department's Marine Environment Advisor for Ministerial Determination, **for signing**.

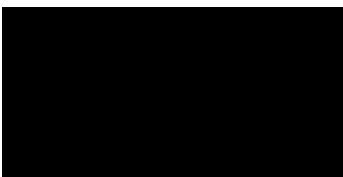
Submitted for decision.

Related submissions

There are no related submissions.

User details

INVOLVED:



READ RECEIPT:

