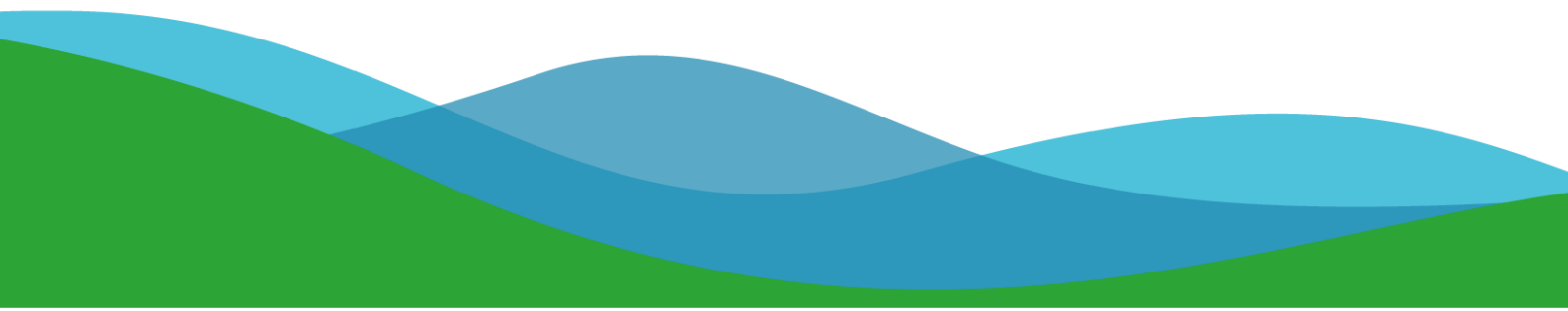




Response to Request for Additional Information - MUL230034

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Approvals

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1.1 Introduction

On 9 September 2024 the Maritime Area Regulatory Authority (MARA) requested further information from Codling Wind Park (CWP) to assist in its assessment of the CWP Maritime Usage Licence Application (Reference MUL230034).

This document provides further information in response to those questions.

1.2 Question 1

The licence application requests a licence duration of 5 years. However, it is not clear from the application documentation the timeframe required to complete the marine usage activity. Please confirm the total timeframe required to complete the proposed site investigations. Provide reasons for seeking the 5 year licence duration.

CWP's response to this question is split between (i) why it is seeking a licence with a 5 year duration and (ii) the individual and cumulative timeframes for completion of the proposed site investigations, as particularised in Table 1.1 below.

(i) Rationale for a 5-year licence duration;

Development timeline

The design and pre-construction activities within CWP project's development timeline extend over multiple years during which period it will be necessary to undertake the different types of survey activities listed in Table 1.1 below. These surveys need to be undertaken at the appropriate times to enable CWP to obtain and make use of the best available data within its project design and construction methodologies, supporting environmental and sustainability best practices.

As a result of this development timeline, a 5-year licence duration is required.

Importance of multi-season and multi-year data collection

The licence duration of 5 years is also required to allow CWP to undertake the relevant surveys:

- (i) across multiple seasons; and
- (ii) with flexibility to account for external factors.

The multi-seasonal collection of survey data is necessary to provide a comprehensive understanding of the ecological and physical variations within the marine environment across each season.

The flexibility in the timing of surveys is necessary to take account of factors beyond CWP's control including, adverse weather conditions, the availability of vessels and general operational constraints.

The intention is to commence survey activities as soon as feasible, following licence award, with a staged programme of investigations within the 5-year licence period. This phased approach ensures that data is collected systematically, advancing the project through its pre-construction phases towards the detailed design stage.

(ii) Table 1.1 Summary of Proposed Activities and Indicative Programme.

Proposed Activity	Purpose	Total Number of Locations	Duration in Each Location	Duration for Each Survey Campaign	Total Duration for Each Survey/SI
Metocean surveys	To gather detailed data on meteorological and oceanographic conditions by deploying: - Floating LiDAR system (FLS) - Wave buoys or MetOcean Buoys - Acoustic Doppler Current Profilers (ADCPs) on seabed.	FLS: Up to 2 buoys Wave buoys or MetOcean Buoys: Up to 2 wave or MetOcean buoys ADCPs: Up to 2 ADCPs placed on the seabed	FLS: Fixed 12 to 36 month period. Wave buoys or MetOcean Buoys: Fixed 12 to 36 month period. ADCPs: Fixed 12 to 36 month period (servicing anticipated every 12 weeks to replace ADCP batteries).	FLS: Fixed 12 to 36 month period. Wave buoys or MetOcean Buoys: Fixed 12 to 36 month period. ADCPs: Fixed 12 to 36 month period	Fixed 12 to 36 month period.
Geotechnical surveys	To assess seabed conditions to inform foundation design, cable installation, and minimise environmental and construction risks. This will comprise: - Cone penetration Testing (CPT) - Boreholes - Vibrocores - Trial pits	271 locations	4hrs - 3 days	2 to 8 months per mobilisation	8-24 months total survey time (subject to final technical scope and procurement processes)
Geophysical and Unexploded	To assess ground conditions and to identify possible UXOs.	Locations: Proposed array area	10-90 days	10-90 days per mobilisation	4-6 months total survey time

Proposed Activity	Purpose	Total Number of Locations	Duration in Each Location	Duration for Each Survey Campaign	Total Duration for Each Survey/SI
Ordnance (UXO) surveys	This will comprise of: • Multibeam echosounder (MBES) • Side scan sonar (SSS) • A gradiometer system using several magnetometers • A sub bottom profiler (SBP) • Multichannel high-resolution acoustic seismic surveys (E.g. sparkers)	• Proposed export cable corridor and operation and maintenance base • Potential onshore substation location			(subject to final technical scope and procurement processes)
Fish and shellfish surveys	To assess the abundance, diversity, and distribution of marine species to evaluate potential impacts and inform environmental management and mitigation strategies. This will comprise: • Potting survey (deploying pots) • Trawl survey (Otter trawls)	15 stations (To be finalised following further consultation with the Sea Fisheries Protection Authority ((SFPA).	Potting survey • 1-5 days • Trawl survey (To be finalised following further consultation with the SFPA).	May be repeated up to quarterly throughout the year – approximately 4 weeks per year (To be finalised following further consultation with the SFPA).	To be confirmed - dependent on which fish and shellfish species found, and to be informed following further consultation with the SFPA, MI and other relevant authority.

Proposed Activity	Purpose	Total Number of Locations	Duration in Each Location	Duration for Each Survey Campaign	Total Duration for Each Survey/SI
Benthic and intertidal surveys	To examine the species, habitats and physical conditions of the seabed and intertidal areas to assess potential impacts and inform environmental management and mitigation strategies. This will comprise: Grab sampling and/or DDV survey	110 comprised of the following:	1-2 hours per station.	1-2 weeks	3-6 weeks
Marine mammal passive acoustic monitoring (PAM)	To determine baseline levels of dolphin/porpoise echolocation click occurrence and/or to collect data on background noise levels and other vocalisations made by cetaceans (e.g., whistles) across the Licence Area.	8 moorings	N/A	Fixed 12 to 36 month period (servicing every 3 months).	Fixed 12 to 36 month period, including the need for site access for data collection and servicing as required.
Intertidal archaeological walkover survey	To determine the presence of archaeological remains that are visible and below the surface layers of the intertidal zone. This is to assess potential impacts and inform environmental management and mitigation strategies. This will comprise: - Metal detector survey - Walkover Survey	N/A	Approximately 1 week per year.	Periodically taking place over the following 5 year period. Approximately 1 week per year.	5 weeks

1.3 Question 2

Provide further information in relation to the proposed marine environmental surveys:

- (i) *Provide reasons for each of the proposed marine environmental surveys and the expected information to be gleaned from the surveys. How will this information inform the future array development?*

The purpose of, and expected information to be gleaned from, each of the proposed marine environmental surveys is set out in Table 1.1.

A summary of how this information will be used to inform the development of the CWP project is set out below:

Aid to Project Design

The surveys proposed by CWP are intended to refine CWP's understanding of the environmental conditions and the seafloor and subsurface geological characteristics within the Licence Area. The resulting data will be used to refine the design of the CWP project and ensure that the final design can respond to temporal changes in the receiving environment when necessary.

The survey data will be used to develop CWP's design to, amongst other things:

- Confirm the details, or groups of details for the CWP project as permitted by the Section 287B opinion issued by An Bord Pleanála (opinion reference number ABP-318588-23 as amended by ABP-318588-23M) (as summarised in Form 22 – supplementary information to accompany an application accompanied by an opinion on flexibility, submitted with CWP's planning application); and
- Take account of specific and or ephemeral environmental conditions from an engineering and environmental perspective.

Aid to monitoring

The survey data will also be used during the pre-construction phase as part of the design and implementation of robust environmental monitoring campaigns. As an example, conducting marine mammal acoustic monitoring over several years establishes an enhanced baseline understanding of marine mammal activity in the area to then enable the implementation of bespoke mitigation strategies (e.g. noise reduction measures) during noise elevated activities.

- (ii) *Provide clarity in relation to the number of individual surveys proposed to be undertaken*

The anticipated number of individual surveys is set out in Table 1.1 above.

- (iii) *The application states that fish and shellfish surveys will take approximately 4 weeks a year – at what times of year are these surveys proposed to be undertaken. What fish and shellfish species will these surveys consider?*

As noted in Table 1.1, the scope and timing of the fish and shellfish surveys is subject to finalisation following consultation with the SFPA, MI and other relevant authorities.

- (iv) *Clarify what, if any, marine environmental surveys proposed will run concurrently.*

Insofar as is practicable, CWP will endeavour to phase the proposed marine environmental surveys so that these are not completed concurrently. Notwithstanding this approach, CWP anticipates certain survey activities

may run concurrently, including but not limited to, geophysical surveys that may overlap with geotechnical surveys.

1.4 Question 3

Clarify if the Wicklow Reef SAC (Site code 002274) is within the site boundary for Area A

CWP confirms that the Wicklow Reef SAC is adjacent to the site boundary for Area A but is not within the site boundary for Area A. Please see Figure 3.

1.5 Question 4

Section 2.9 of the MUL application form refers to two foreshore licences held by Codling Wind Park Limited.

- (i) Clarify the relationship between these two foreshore licences (FS007045 and FS007546) and the new licence application – do both foreshore licences relate to the site investigation activities for the same proposed wind farm array?

Foreshore licences FS007045 dated 12th February 2021 and FS007546 dated 19th May 2023, and CWP's Maritime Usage Licence application submitted 24th May 2024 (MULA), relate to site investigation activities at the Codling Wind Park offshore wind farm. As per section 3.4 of CWP's MULA, the licence area of the current application has been significantly refined from that contained in foreshore licences FS007045 and FS007546.

CWP is currently unable to undertake any site investigation activities under foreshore licences FS007045 and FS007546 for the reasons set out in its response at 1.5 (ii) below. It is for this reason that CWP has applied for a new maritime usage licence.

- (ii) What is the status of both of these licences?

Foreshore licence FS007045:

Judicial review proceedings were brought against foreshore licence FS007045 (reference 2022 No. 394 JR). In accordance with the order of Mr Justice Simons dated 25 March 2024, CWP has undertaken to surrender foreshore licence FS007045. This surrender is in process. As a result, CWP cannot carry out any site investigation activities under foreshore licence FS007045.

Foreshore licence FS007546:

Two sets of judicial review proceedings were brought against foreshore licence FS007546 (references 2023/946 JR and 2023/949 JR). Both sets of proceedings are ongoing. A stay was granted in respect of foreshore licence FS007546 prohibiting CWP from undertaking applicable site investigation activities at this time.

As a result, CWP cannot currently carry out any site investigation activities under foreshore licence FS007546.

- (iii) Provide a detailed description of the site investigations that are permitted under each of these licences and what site investigations have been completed under each licence.

The following is a list of site investigations and surveys that have been completed under the licences;

2021

- Geotechnical site investigation surveys were carried out at the CWP site between April and June 2021. The objective of these surveys was to determine the geological conditions at the site and to provide geotechnical information that would assist CWP in their development of their project.
- Metocean surveys that were conducted during 2021 included the deployment of a Metocean Buoy, two Wave Buoys, a seabed frame and two FLiDaRs which were deployed between April and July 2021. All Metocean equipment were deployed in accordance with a Statutory Sanction as received from the Commissioners of Irish Lights and an Automatic Identification System Licence issued by the Commission for Communications Regulation.
- Geophysical surveys across site to assess turbine locations, inter array cables and UXO were carried out between April and July 2021. The survey was conducted using a Multibeam echosounder (MBES), Side scan sonar (SSS) and Gradiometer system using several magnetometers, Sub bottom profiler, Multichannel High-resolution acoustic seismic surveys.
- A benthic survey campaign took place between June and July 2021 across the site and cable routes. In total 71 grab samples were recovered for faunal analysis, sediment particle size analysis (PSA) and loss on ignition (LOI) organic carbon analyses. In addition, drop-down video survey was conducted at 6 stations. Sediment grab samples were also recovered at 14 stations for chemistry analysis.
- An archaeological walkover survey at each landfall location for archaeological features of interest was performed between August and September 2021. The objective of the investigation was to determine visually if any archaeological features of interest could be seen.

2022

- A nearshore geotechnical campaign was completed close to landfall in Poolbeg. This occurred in June 2022. The works consisted of a geotechnical investigation to characterise the potential export cable corridor and landfall area (a total of 3 boreholes were completed).

2023

- CWP contracted Fugro GeoServices to carry out a geotechnical site investigation to provide information for foundation design. The fieldwork was performed from the Jack up barge (JUB) Excalibur from 30 May to 10 August 2023. The geotechnical investigation (incl. boreholes and cone penetration tests) was intended to take place at 15 different locations within the project work site. In total 12 locations were completed.

The following is a list of survey categories that have been permitted under FS007045;

- Geophysical and UXO surveys
- Geotechnical site investigations
- Potting (deployment) and trawl surveys
- Benthic sampling
- Ecological Intertidal Surveys
- Epibenthic trawls
- Metocean
- Intertidal Archaeological Walkover Survey
- Marine Mammal Acoustic Surveys

The following is a list of survey categories that have been permitted under FS007546;

- Geophysical and UXO surveys
- Geotechnical site investigations
- Potting (deployment) and trawl surveys
- Benthic sampling
- Ecological Intertidal Surveys
- Epibenthic trawls
- Metocean
- Intertidal Archaeological Walkover Survey
- Marine Mammal Acoustic Surveys

1.6 Question 5

The application includes a map entitled “Fig 004: Indicative Geotechnical and Metocean Survey Locations”.

- (i) *In the interests of clarity provide separate maps to show the indicative locations of the proposed geotechnical surveys for Areas A, B and if applicable C.*

Please see Figures 4a, 4b and 4c.

- (ii) *Provide a separate map showing the proposed locations for the trial pits in the intertidal area within Area A.*

Please see Figure 4ai

1.7 Question 6

The GIS files submitted have an ‘Area B’ drawn, which correspond directly to the Map Title: “Fig 002: Licence Area Map - Area B” submitted. This is a multipart polygon.

- i. *Revise the map for Area B to be represented as one complete polygon.*
ii. *In the event that this is not possible provide reasons why.*

It is not considered necessary to connect the polygons as there is a bridge with a cooling pipe from Covanta Waste separating the polygons. The bridge was built circa 2016. CWP does not intend to carry out any licenced activities on or under the bridge and thus its inclusion is unnecessary. Connecting the polygon would result in this sensitive piece of infrastructure being within the area that may be surveyed, which may cause undue stakeholder concern. Please see Figure 1 for aerial photography of the bridge.



Figure 1 Aerial photography of bridge between Area B polygons

1.8 Question 7

The GIS files submitted have an 'Area C' drawn, which correspond directly to the Map Title: "Fig 003: Licence Area Map - Area C" submitted. There are areas within Area C that are not necessary for the purposes of this licence application. Only areas that relate to the Maritime Usage Licence application should be included inside the red line boundaries. Submit a revised map and GIS files to exclude the hashed areas identified in the map below.

Please see Figure 7 and associated GIS Files.

APPENDIX A COPY OF LETTER FROM MARA

Codling Wind Park Limited (CWPL)
Trintech Building,
2nd Floor, South County Business Park,
Leopardstown,
Dublin.

(electronic copy)

09/09/2024

Reference: MUL230034

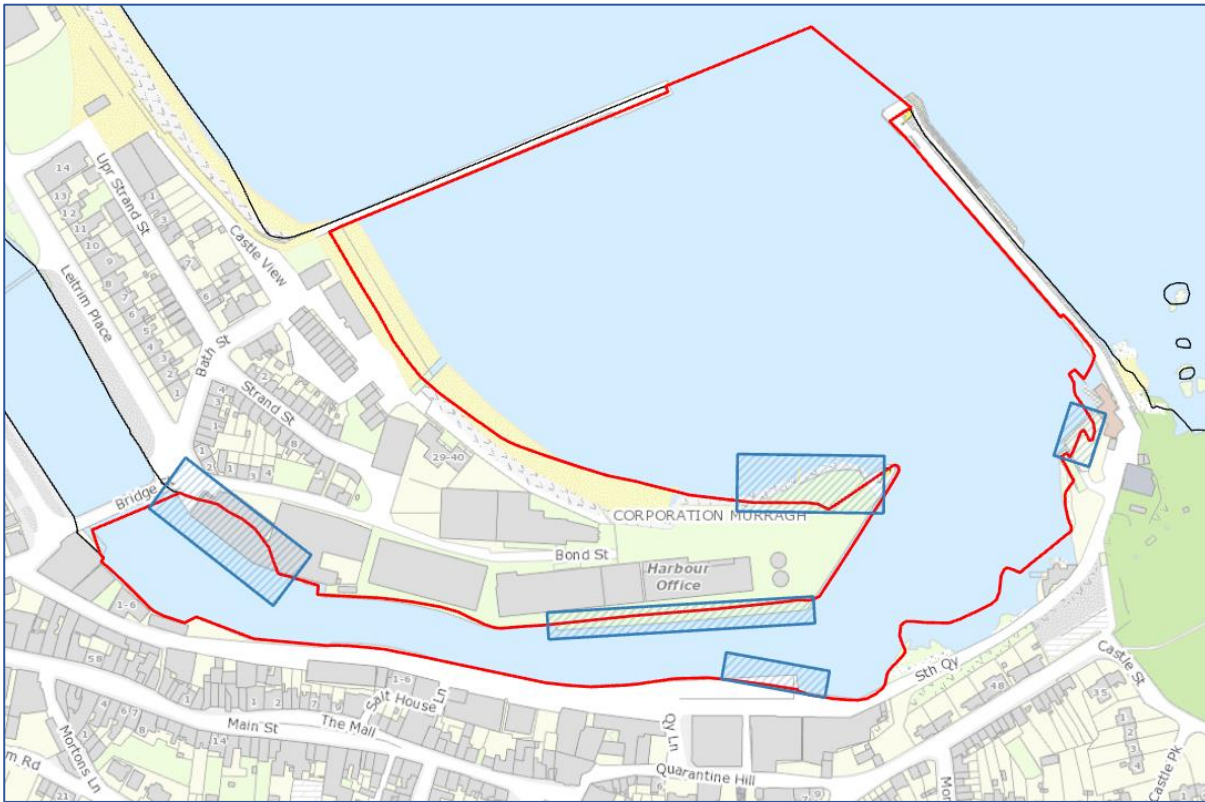
Request for additional information in accordance with section 117(3) of the Maritime Area Planning Act 2021 in respect of licence application reference number MUL230034.

Dear Erlend Christiansen,

I refer to the above licence application received by the Maritime Area Regulatory Authority (MARA) on 24/05/2024. MARA considers that it requires the additional information as set out below in order to determine the licence application:

- 1) The licence application requests a licence duration of 5 years. However, it is not clear from the application documentation the timeframe required to complete the marine usage activity. Please confirm the total timeframe required to complete the proposed site investigations. Provide reasons for seeking the 5 year licence duration.
- 2) Provide further information in relation to the proposed marine environmental surveys:
 - i. Provide reasons for each of the proposed marine environmental surveys and the expected information to be gleaned from the surveys. How will this information inform the future array development?
 - ii. Provide clarity in relation to the number of individual surveys proposed to be undertaken;
 - iii. The application states that fish and shellfish surveys will take approximately 4 weeks a year – at what times of year are these surveys proposed to be undertaken. What fish and shellfish species will these surveys consider?
 - iv. Clarify what, if any, marine environmental surveys proposed will run concurrently.
- 3) Clarify if the Wicklow Reef SAC (Site code 002274) is within the site boundary for Area A.
- 4) Section 2.9 of the MUL application form refers to two foreshore licences held by Codling Wind Park Limited.

- i. Clarify the relationship between these two foreshore licences (FS007045 and FS007546) and the new licence application – do both foreshore licences relate to the site investigation activities for the same proposed wind farm array?
 - ii. What is the status of both of these licences?
 - iii. Provide a detailed description of the site investigations that are permitted under each of these licences and what site investigations have been completed under each licence.
- 5) The application includes a map entitled “*Fig 004: Indicative Geotechnical and Metocean Survey Locations*”.
 - i. In the interests of clarity provide separate maps to show the indicative locations of the proposed geotechnical surveys for Areas A, B and if applicable C.
 - ii. Provide a separate map showing the proposed locations for the trial pits in the intertidal area within Area A.
- 6) The GIS files submitted have an ‘Area B’ drawn, which correspond directly to the Map Title: “*Fig 002: Licence Area Map - Area B*” submitted. This is a multipart polygon.
 - i. Revise the map for Area B to be represented as one complete polygon.
 - ii. In the event that this is not possible provide reasons why.
- 7) The GIS files submitted have an ‘Area C’ drawn, which correspond directly to the Map Title: “*Fig 003: Licence Area Map - Area C*” submitted. There are areas within Area C that are not necessary for the purposes of this licence application. Only areas that relate to the Maritime Usage Licence application should be included inside the red line boundaries. Submit a revised map and GIS files to exclude the hashed areas identified in the map below.



Please ensure all documentation, diagrams, cartographic maps and GIS data files are updated accordingly and resubmitted to MARA. Only areas that relate to the Maritime Usage Licence application should be included inside the red line boundaries.

The requested information should be submitted to MARA within four weeks of the date of this notice, in order for MARA to assess the licence application.

Please direct any queries to licence@mara.gov.ie.

Your faithfully,

Licensing Team
MARA

address:

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