

Volume 8: Appendices (Introductory)

# Appendix 6.2

## Rehabilitation Schedule

## Rehabilitation Schedule

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## Introduction

### North Irish Sea Array Offshore Wind Farm

North Irish Sea Array Windfarm Ltd. (NISA), a 50/50 Joint Venture between Statkraft Ireland Ltd. and Copenhagen Infrastructure Partners (CIP) P/S (hereafter referred to as the Developer), has made an application for permission to carry out the development of the North Irish Sea Array Offshore Wind Farm (hereafter referred to as the proposed development) under Section 291 of the Planning and Development Act 2000, as amended (the Planning Acts).

The proposed development is an offshore wind farm located off the coast of counties Dublin, Meath and Louth, bringing with it an opportunity to significantly contribute to the development of a clean, renewable energy future for the region.

The key objectives of the proposed development are to deliver an environmentally acceptable and viable offshore wind farm contributing to the delivery of the Irish Government's legally binding offshore wind target of 5GW by 2030, delivering benefits on a local, regional and national level and to limit the effects of global climate change. The proposed development is a pivotal component of the Programme for Government and the Climate Action Plan 2024. In the absence of the proposed development, there is no plausible mechanism by which Ireland can meet binding climate and environmental targets for 2030 and beyond. With the urgency surrounding the climate crisis, it is imperative that these are targets that are achieved. The proposed development will further the Irish Government's objectives of increasing the generation and supply of renewable electricity and reducing the emissions of greenhouse gases.

### Overview of the proposed development

The proposed development comprises of a combination of offshore infrastructure and onshore infrastructure. The key offshore elements (infrastructure located seaward of the High Water Mark (HWM) - noting that the HWM is the transition point between the offshore and onshore infrastructure) of the proposed development (relevant to this rehabilitation schedule {see 1.2 below} )will comprise the following:

- Project Options for 35 and 49 offshore wind turbine generators (WTGs) and associated foundations (within the array area);
- One offshore substation platform (OSP) and associated foundations (within array area);
- Inter-array cables which will connect the WTGs to the Offshore Substation Platform (OSP) (within the array area);
- Offshore export cables (within an export cable corridor (ECC));

Scour protection around substructures and cable protection (as required); and

Landfall site (interface between offshore and onshore infrastructure).

## 1.1 Requirement for a Rehabilitation Schedule

NISA was awarded a Maritime Area Consent (MAC) by the Department of Environment, Climate and Communications (DECC) in December 2022., (Ref: 2022-MAC-005). The MAC was granted for the occupation of a maritime area for the permitted maritime usage, namely the construction and operation of an Offshore Wind Farm and associated infrastructure (including decommissioning and other works) off counties Dublin, Meath and Louth. The proposed development's MAC extent is included in Image 1 within this document.

Section 5.1 of the proposed development's MAC requires that *"The application for Development Permission shall have attached to it a Rehabilitation Schedule, within the meaning of section 95 of the [Maritime Area Planning] Act [2021]."*

Section 95 of the Maritime Area Planning Act 2021 (as amended) (the MAP Act) sets out that "rehabilitate", in relation to a part of the maritime area, means—

*(a) a treatment for the part in such a way as to either—*

*(i) restore the part to a satisfactory state, with particular regard to the seabed, water quality, wildlife, natural habitats, landscape and seascape, or*

*(ii) restore the part to a satisfactory state to enable it to be reused for the purpose for which it was previously used (and whether or not pursuant to a MAC) or for another purpose and, consistent with such purpose, with particular regard to the seabed, water quality, wildlife, natural habitats, landscape and seascape,*

*and*

*(b) after the restoration referred to in paragraph (a)(i) or (ii) has been completed and, if appropriate, to maintain, for a period specified in the rehabilitation schedule concerned, the part so that it continues to be in the satisfactory state referred to in that paragraph.*

Section 96(1) of the MAP Act confirms that the rehabilitation obligations only relate to the maritime area "adversely affected" by the maritime usage which is the subject of the MAC.

Section 96(2) of the MAP Act states *Without prejudice to the generality of the obligation under subsection (1) on the holder of a MAC to rehabilitate a part of the maritime area, that obligation may be or include one or more than one of the following:*

*(a) the decommissioning of infrastructure;*

*(b) the removal of infrastructure;*

*(c) the partial removal of infrastructure;*

*(d) the re-use of infrastructure for the same or another purpose;*

*(e) the burying or encasing of infrastructure;*

*(f) the removal of any deposited or waste material.*

Section 96(4) of the MAP Act sets out the particulars that the Rehabilitation Schedule should include, as follows:

- (a) the proposed programme of rehabilitation (**Section 0** of this document);
- (b) the proposed date, or the occurrence of the event, on which the programme will start to be implemented and (if no ongoing maintenance is required by the programme) the proposed date on which the programme will have been fully implemented (**Section 0** of this document);
- (c) the estimated costs of the programme (**Section 0** of this document);
- (d) the expected timelines for applying for and obtaining the other authorisations referred to in subsection 96(3) required in order to enable the applicant to discharge that obligation (**Section 0** of this document).

This document is the Rehabilitation Schedule for the proposed development as required by Section 5.1 of the MAC, and within the meaning of Section 95 of the MAP Act and includes the requirements detailed in Section 96 (4) of same.

## Rehabilitation Schedule

### Scope

#### Area

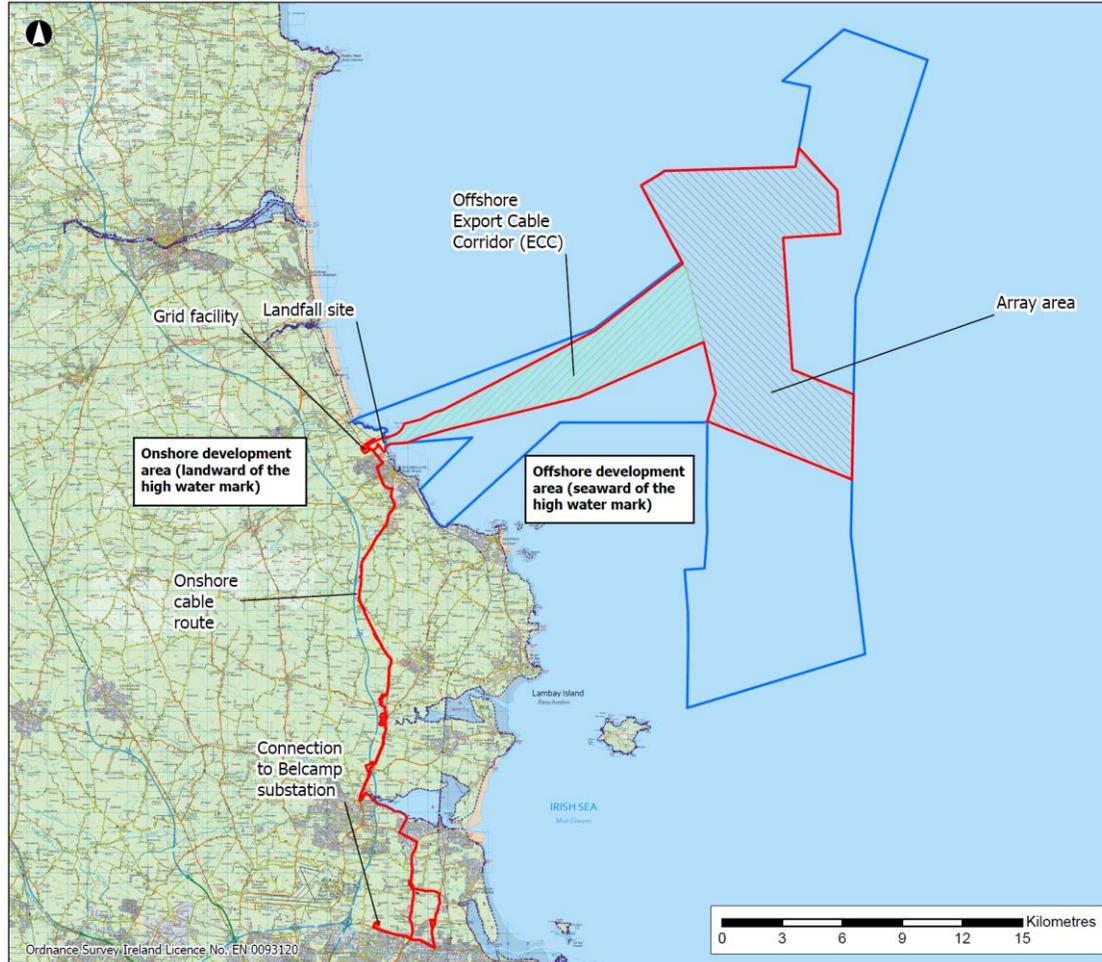
As set out in Section 96(1) of the MAP Act, the Rehabilitation Schedule is required with respect to

*“...that part of the maritime area the subject of the MAC, and any other part of the maritime area, adversely affected by the maritime usage the subject of the MAC.”*

The area encompassed by the MAC boundary is larger than the area encompassed by the proposed development boundary which in the offshore environment, is the offshore development area, and comprises the array area and the export cable corridor (**Figure 1**) as submitted as the area applied for within the development consent application. For the avoidance of doubt, this Rehabilitation Schedule only relates to those areas within which infrastructure or any deposited or waste material is located, as required by Section 96(2) of the MAP Act. No adverse effects are anticipated outside of these areas (as set out in the Environmental Impact Assessment Report (EIAR)), where the baseline conditions will be subject to naturally occurring processes throughout the operational lifetime of the wind farm.

#### Duration

The Term of the MAC is 45 years from the Commencement Date of December 2022 i.e. to December 2067. This Rehabilitation Schedule addresses rehabilitation obligations only within that term. Should the term of the MAC be extended, the proposals set out within this Rehabilitation Schedule would be updated and resubmitted for approval by the relevant authority at the time, in compliance with all relevant statutory requirements including the carrying out of any relevant environmental assessments required.



- Legend**
- Proposed Development Boundary
  - Maritime Area Consent (MAC) Boundary
  - High Water Mark
  - Array Area
  - Export Cable Corridor

**NISA**  
North Irish Sea Array

**ARUP**

Project  
**North Irish Sea Array  
Offshore Wind Farm**

Figure Title  
**Proposed Development  
Location**

Job No: 281240  
Date: May 2024  
Scale: 1:175,000  
Status: Issue

Figure No:  
**1.1**

Figure 1: Site Location

### **Proposed Programme of Rehabilitation**

As outlined in Section 95 of the MAP Act , and presented in Section 1.2 above, rehabilitation means restoring the part of the maritime area to a satisfactory state, with particular regard to the seabed, water quality, wildlife, natural habitats, landscape and seascape; or to enable it to be reused; and after the restoration has been completed to maintain it so that it continues to be in a satisfactory state . As described above, the rehabilitation obligations (Section 96(1) of the MAP Act) only relate to the maritime area “*adversely affected*” by the maritime usage the subject of the MAC and as such applies only to the area within the proposed development boundary offshore area (the array area and the ECC).

The EIAR and associated documents set out the predicted adverse effects on each of the receptors as identified in Section 95 of the MAP Act. The relevant documents are:

- EIAR Chapter 10: Marine Geology, Oceanography and Physical Processes
- EIAR Chapter 11: Marine Water and Sediment Quality & Water Framework Directive
- EIAR Chapter 12: Benthic and Intertidal Ecology
- EIAR Chapter 13: Fish and Shellfish Ecology
- EIAR Chapter 14: Marine Mammal Ecology
- EIAR Chapter 15: Offshore Ornithology
- EIAR Chapter 29: Seascape, Landscape and Visual
- EIAR Chapter 33: Resource and Waste Management
- EIAR chapter 35: Offshore Bats
- Natura Impact Statement (NIS)

The predicted likely significant effects have been used to help inform the requirements for rehabilitation.. The majority of identified adverse effects are non-permanent and reversible, whereby recovery is expected following cessation of the impacting activity (which may occur during construction, operation or decommissioning). Rehabilitation is not anticipated to be required in relation to such effects because recovery will take place under the action of naturally occurring processes and through the committed mitigations for each receptor at the time of the effect should they be required.

The assessments included within the EIAR chapters and NIS listed above identify the monitoring actions that have been proposed, where they apply, and how they are used to confirm the nature of the predicted effects and/or the rate and extent of recovery.

As such, the proposed programme of rehabilitation is as follows:

- Review of monitoring outcomes from the pre-construction, post-construction and operational period.
- Undertake pre-decommissioning survey/s to confirm the state (condition) of relevant receptors (i.e. seabed, water quality, wildlife, natural habitats, landscape and seascape).
- Consult with relevant stakeholders to agree the appropriate rehabilitation actions accounting for the monitoring and survey outcomes. As set out in section 96(2) of the MAP Act, this may

be or include one or more than one of: decommissioning; removal; partial removal; re-use; burying or encasing of infrastructure; or the removal of any deposited or waste material.

- Confirm the decommissioning requirements as outlined here and which must take account of this Rehabilitation Schedule to achieve restoration to a satisfactory state, or to enable reuse.
- Where any such restoration has been completed, a further programme of post-decommissioning monitoring will be agreed with the relevant authorities and undertaken to confirm any other actions necessary to maintain it in a satisfactory state.

The anticipated decommissioning works for the proposed development are described in Chapter 6, Section 6.13 and Chapter 8, Section 8.9 of the EIAR, noting that the exact approach will be confirmed through approval by the relevant authorities of the detailed project Decommissioning Plan which will be prepared and approved closer to the time that the works are undertaken. However, it is anticipated that:

1. All structures above the seabed will be completely removed.
2. Piled foundations will be cut approximately 2m below the seabed and removed, with due consideration made of likely changes in seabed level across the array area (it is not thought to be reasonably practicable to remove entire piles from the seabed, as this may cause damage to the seabed environment, but endeavours will be made to ensure that the sections of pile that remain in the seabed are fully buried and made safe to ensure they do not become stop protrusions and hazards).
3. Any scour protection will be left in situ and would only be removed if it was less impactful to do so.
4. Where appropriate, buried assets such as cables will be left in situ - Where discussions with stakeholders and regulators identify the need for cables to be wholly or partially removed, this would require the removal of seabed material or cable protection measures to allow access. Cable ends would be weighted and returned to the seabed and securely buried. The rock protection or concrete mattresses over the cables will only be displaced as much as necessary to remove the cables if requested by the authorities to do so at the time.
5. In the intertidal area, the export cables will be left in place in the seabed with the cable ends cut, sealed and securely buried.

Error! Reference source not found. provides an outline approach to rehabilitation for each of the relevant topics or receptors which would meet the requirements set out in Section 95 of the MAP Act. The exact requirements will be agreed through detailed consultation and assessment with the relevant authorities at the time and as outlined by the steps set out in Section 2.2.

**Table 1: Outline approach to rehabilitation by receptor**

Topic/receptor	Outline approach to rehabilitation
Seabed, wildlife and natural habitats	All structures above the seabed will be completely removed, with piled foundations cut approximately 2m below the seabed and any cable ends cut, sealed and securely buried. The only offshore infrastructure that may be exposed at the seabed is therefore scour and cable protection (most likely in the form of

Topic/receptor	Outline approach to rehabilitation
	<p>either loose rock or concrete mattresses). Removal of such infrastructure may cause greater environmental effects than leaving in-situ, which will be confirmed through the pre-decommissioning surveys.</p> <p>Multiple site surveys will have been completed ahead of rehabilitation, including early development ecological surveys, pre-construction surveys and monitoring and inspections during operation.</p> <p>The East Coast Phase One offshore wind farm projects (North Irish Sea Array (NISA), Oriel Wind Farm, Dublin Array Offshore Wind Farm, Codling Wind Park and Arklow Bank Wind Park 2) recognise the potential need for, and benefits of, strategic ecological monitoring initiatives related to the proposed developments for which consents are being sought. In particular, the complex ecology and mobile nature of some marine receptors mean that a joint approach would be of greatest strategic benefit. This joint approach is common and has proven effective across a number of jurisdictions including in Scotland and England. The East Coast Phase One offshore wind farm projects have therefore established the 'East Coast Monitoring Group' (ECMG) to facilitate the process.</p> <p>The ECMG are committed to continued collaboration within the group, and with those relevant statutory and technical stakeholders, in order to agree and implement strategic monitoring initiatives where appropriate and relevant. Monitoring initiatives implemented by the East Coast Phase One projects will be determined by the conclusions of the EIAR process, with a focus on validation and evidence gathering. It is anticipated that the ECMG, alongside those relevant statutory and technical stakeholders, would seek to explore and agree monitoring objectives, methodologies and outcomes via ongoing collaborative engagement following consent of the respective projects.</p> <p>If necessary, a further programme of post-decommissioning monitoring will be agreed with the relevant authorities at the time and undertaken to confirm the nature of any potential ongoing effects and any need for other actions to maintain the infrastructure in a satisfactory state.</p> <p>No other rehabilitation actions would be required with respect to seabed, wildlife and natural habitats.</p>
Water quality	<p>As described in Chapters 6, 8 and 22 Water Quality of the EIAR there are no planned discharges to sea as a result of the proposed development and therefore no sources of contaminants that would present a water quality issue at any stage of the proposed development life. Seabed surveys (completed in 2023 through</p>

Topic/receptor	Outline approach to rehabilitation
	<p>the Developer’s on-site geophysical campaign) have confirmed the uncontaminated nature of the seabed sediments that will be affected by the proposed works. As per the construction activities the proposed decommissioning activities will be undertaken in accordance with an OEMP and therefore there will be no changes to water quality as a result of these activities. As such further rehabilitation actions would not be required with respect to water quality.</p>
Landscape and seascape	<p>Effects on landscape and seascape will cease once all structures above the seabed (and therefore all surface infrastructure) has been removed on decommissioning. As such further rehabilitation actions would not be required with respect to landscape and seascape as the previous baseline conditions will be resumed.</p>

**Schedule for Implementation**

Section 20.1 of the MAC requires the Holder before the expiration of the Consent, to “rehabilitate the Consent Area, and any other part of the maritime area, adversely affected by the Permitted Maritime Usage in accordance with the requirements of the Rehabilitation Schedule.”.

The operational lifespan of the proposed development is anticipated to be 35 years (EIAR Chapter 6). As described at **Section 2.1.2** above, the Term of the MAC is 45 years. As such:

- The proposed date, or the occurrence of the event, on which the programme will start to be implemented is no later than the commencement of the decommissioning activities as approved in the Decommissioning Plan; and
- The proposed date on which the programme will have been fully implemented (if no ongoing maintenance is required by the programme) is the completion of the decommissioning activities as approved in the Decommissioning Plan.

As described in **Section 2.2** above, certain other activities will be undertaken prior to the commencement of decommissioning, as appropriate, to help inform the rehabilitation requirements including a review of monitoring outcomes, pre-decommissioning survey/s and consultation with stakeholders.

In the event that ongoing maintenance is required, the programme will be considered to have been fully implemented once the monitoring referred to in **Section 2.2** above has confirmed that no other action is necessary to maintain it in a satisfactory state (subject to approval by the relevant authority), and no later than the expiration of the Term of the MAC.

### Estimated Costs

The Developer, as the Holder of the MAC, will comply with the requirements for a Rehabilitation Bond as set out in section 21 of the MAC. Since this information will be submitted not later than 60 days prior to the commencement of any works under the Development Permission (MAC section 21.2), the information provided at that stage will be based on the available information at the time and will be updated through the approval of the Decommissioning Plan as outlined in **Section 2.2** above.

### Authorisations

Depending on the nature of the rehabilitation required it may be necessary to apply for and obtain other authorisations (i.e. grant of a licence, consent, approval or any other authorisation) in order to enable the discharge of that obligation. The identity of these and, where they apply, the expected timelines for applying for and obtaining them will be confirmed through the approval of the detailed Decommissioning Plan as outlined in **Section 2.2** above. All further authorisations that may be required will be sought by the Developer well in advance of any such works proceeding and in consultation with the relevant authority and prescribed bodies at the time.