

SCREENING FOR EIA TECHNICAL REVIEW

Kinsale Area Shallow Geological Survey

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Shallow Geological Survey
Screening for EIA Technical
Review
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REPORT

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1 INTRODUCTION

1.1 Project Overview

PSE Kinsale Energy Limited (Kinsale Energy) is preparing for the decommissioning of the Kinsale Area gas fields and facilities (incorporating the Kinsale Head gas fields and facilities and the Seven Heads gas field and facilities), which are coming to the end of their productive life.

Kinsale Energy is applying for permission to undertake a survey at Kinsale Alphas and bravo platforms in petroleum lease area No. 1 covering Blocks 48/20, 48/25, 49/16 and 49/21 in the North Celtic Sea Basin. To inform the detailed removal procedures for the platform jackets, a survey is proposed to confirm the shallow seabed conditions in the immediate vicinity of the platforms. The survey will determine the sand/chalk boundary around the jacket legs. The survey will include the use of equipment (e.g. sub-bottom profiler and chirp) to detect the depth of surficial sediments and their contact with the underlying bedrock to inform the need for any excavation around the jacket piles during jacket removal. The survey is due to occur between April and September 2020 over the course of 1 to 2 days, excluding possible weather standby.

1.2 Application Documents

Kinsale Energy submitted the following documents as part of the application:

- Cover Letter
- Environmental Impact Assessment Screening/ Environmental Risk Report
- Pre-survey Fisheries Assessment
- Appropriate Assessment Screening Report
- Application Form
- Evidence of Notification of Statutory Consultees

The above reports were considered as part of this technical review.

2 TECHNICAL REVIEW: SHALLOW GEOLOGICAL SURVEY SCREENING

2.1 Legislation and Guidance used in the Technical Review

This technical review report presents the findings of the RPS review and assessment of the Kinsale Area Shallow Geological Survey, an application to conduct an offshore survey.

The purpose of this report is to:

- Review and assess the content, suitability and accuracy of the information presented in the EIA Screening Report for the shallow geological survey;
- Assess the scientific rigour of the assessments of potential interaction and impacts, including a determination as to whether conclusions are reasoned and justifiable;
- Consider the suitability and effectiveness of mitigation proposed to avoid, reduce or remedy potential impacts; and
- Assess compliance of the activities proposed for the Kinsale Area shallow geological survey.

This technical review and assessment of the EIA Screening Report has been undertaken with regard to the following legislation, guidance and departmental circulars:

Legislation

- Petroleum and Other Minerals Development Act, 1960 (as amended);
- Petroleum and Other Minerals Development Act, 1960 (Section 13A) Regulations, 1990 (S.I. 141/1990);
- European Union Directive on assessment of the effects of certain public and private projects on the environment (Environmental Impact Assessment) Directive (2011/92/EU) and as amended by Directive 2014/52/EU;
- European Union (Environmental Impact Assessment and Appropriate Assessment) (Foreshore) Regulations 2014 (S.I. No 544/2014);
- European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No 544/2014); and
- European Communities (Birds and Natural Habitats) Regulations (S.I. 477/2011) as amended.

Guidance

- Environmental Protection Agency (EPA) Guidelines on the information to be contained in Environmental Impact Statements (EPA, 2002);
- EPA Advice Notes on Current Practice (in the preparation of Environmental Impact Statements) (EPA, 2003);
- EPA Guidelines on the Information to be contained in Environmental Impact Assessment Reports (EPA, Draft August 2017);
- Environmental Impact Assessment of Projects Guidance on Screening (Directive 2011/92/EU as amended by 2014/52/EU)

Departmental Circulars

- Compliance Conditions in respect of Developments requiring (1) Environmental Impact Assessment (EIA); or (2) having potential impacts on Natura 2000 sites (DEHLG Circular Letter PD 2/07 and NPWS 1/07);

- Implementation of Directive 2014/52/EU on the effects of certain public and private projects on the environment (EIA Directive) (DHPLG Circular letter PL 1/2017); and
- Transposition into Planning Law of 2014 EIA Directive and Revised EIA Guidelines (DHPLG Circular Letter PL 05/2018).

2.2 Public Consultation

Notification of the application to DCCAE was issued on the 5th March 2020 to the statutory bodies listed in **Table 2.1**. The application was posted on the DCCAE website on 13th March 2020 with a closing date of the 13th April 2020. This date was subsequently extended to close of business on 24th April 2020.

The observations and comments received from the public and prescribed bodies are being considered as part of the EIA screening assessment of the proposed Kinsale Area shallow geological survey.

Table 2.1: Submissions/observations received from Prescribed Bodies consulted with as part of the Application for Consent for the Shallow Geological Survey

Prescribed Bodies	Response Received	Details of Submission
Irish Maritime Administration, Department of Transport, Tourism and Sport	-	No submissions or observations received.
Ship Source Pollution Prevention Unit Irish Maritime Administration, Department of Transport, Tourism and Sport	Email received on 23 rd April 2020	Regarding correspondence from PSE Kinsale Energy Ltd in respect of two site surveys applications they have submitted to the Petroleum Affairs Division, DCCAE. In this regard, I wish to inform you that (prospective) licensees and their employees and contractors are reminded that they should be aware of ship-source pollution prevention provisions which are in place to protect human health and the marine environment and apply to all shipping activity. These provisions are obligatory independently of particular licence terms and conditions. Under the MARPOL Convention and EU law, as applicable in national law, ships may not cause pollution either by discharge to water or emissions to air, when at sea or when at berth in port. Ships include Floating Production, Storage and Offloading vessels (FPSOs), also called a "unit" or a "system"; and Floating Storage Units, (FSUs). Ships berthed at terminals at sea are also obliged to conform to the law. Management of ship waste (mainly oil, hazardous and polluting substances, sewage, garbage and polluting emissions to air) and of all cargo residues must be ensured as required under international (IMO), EU and national law. Under existing provisions ships are obliged to discharge waste and cargo residues at port and ports are obliged to provide adequate facilities for their reception from ships.
Irish Coast Guard (& National Maritime Operations Centre), Department of Transport, Tourism and Sport	-	No submissions or observations received.
Sea Fisheries Protection Authority	-	No submissions or observations received.

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Prescribed Bodies	Response Received	Details of Submission
Sea Fisheries Policy Division, Department of Agriculture, Food and the Marine	-	No submissions or observations received.
Department of Defence	-	No submissions or observations received.
Mission Support Facility, Irish Air Corps	-	No submissions or observations received.
Naval Headquarters	Email received on 23 rd April 2020	The Naval Service have no observations regarding these surveys, however it is requested that details of the survey vessels which will conduct the surveys are made known when to hand.
Marine Institute, Marine Environment and Food Safety Services	-	No submissions or observations received.
Marine Institute	-	No submissions or observations received.
Director of e-Navigation and Maritime Services, Commissioner of Irish Lights	-	No submissions or observations received.
Department of Culture, Heritage and the Gaeltacht (DCHG) Development Applications Unit (DAU)	-	No submissions or observations received.

Table 2.2: Submissions/observations received by the DCCAE from Prescribed Bodies and Third Parties on the Application for Consent for the Shallow Geological Survey

Prescribed Bodies	Response Received	Details of Submission
[Private individual, name withheld]	Email received on 24 th April 2020	Please do not allow any more fossil fuels to be explored, exploited and expatriated from Irish waters, soils and seas.

3 METHODOLOGY

3.1 EIA and Screening of Projects

In accordance Directive 2011/92/EU, as amended by Directive 2014/52/EU (hereafter, the EIA Directive) projects that are likely to have significant effects on the environment by virtue, inter alia, of their nature, size or location must be subject to an environmental impact assessment.

Article 4 of the EIA Directive requires that projects listed under Annex I must always have an EIA while projects listed under Annex II shall be subject to an EIA if (i) determined on a case-by-case basis or (ii) they exceed certain thresholds set by each Member State.

In the case of Annex II projects that are determined on a case-by-case basis, or sub-threshold, an EIA screening is required to determine if the project will have significant effects on the environment. Under Article 4(4) the developer (applicant) is required to submit information on the characteristics of the project and its likely significant effects on the environment. The developer may also provide a description of any features of the project and/or measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment. Subsequently, in accordance with Article 4(5), the Competent Authority is required to make a determination, which shall be made public, that:

1. Where it is decided that an environmental impact assessment is required, states the main reasons for requiring such assessment with reference to the relevant criteria listed in Annex III; or
2. Where it is decided that an environmental impact assessment is not required, states the main reasons for not requiring such assessment with reference to the relevant criteria listed in Annex III, and, where proposed by the developer, states any features of the project and/or measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

The following sections follow the above process in terms of screening the project for EIA.

3.2 Is a Mandatory EIA Required?

For the purposes of this technical review, it is first necessary to determine if an EIA is required automatically by virtue of the project falling within the list of projects in Annex I of the EIA Directive or above the thresholds for Annex II projects. **Table 3.1** provides the EIA checklist against the requirements of Annex I and Annex II.

Table 3.1 EIA Checklist against Annex I and Annex II

No.	Question	Response
1	Is the project listed on Annex I of the EIA Directive? Yes = EIA required No = Go to next question	No.
2	Is the project listed on Annex II of the EIA Directive? Yes = EIA may be required. Further assessment necessary. No = The project is either: <ul style="list-style-type: none"> • Exempt from EIA; or • Considered on a case-by-case basis. 	No.

3.3 EIA Screening

As confirmed in **Table 3.1** above, an EIA Screening is required. The requirements of Annex II are now considered, as summarised in **Table 3.2**, with the requirements of Annex III considered in **Table 3.3** through **Table 3.5**.

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Table 3.2 EIA Directive Annex II Checklist

Screening Questions	Has the information been submitted by the applicant? (Yes / No – Why?)
1. A description of the project, including in particular	
(a) a description of the physical characteristics of the whole project and, where relevant, of demolition works.	Yes, this information has been submitted. A description of the project is provided in Section 2 of the Environmental Impact Assessment Screening/ Environmental Risk Report (March 2020) submitted by the applicant. The location of the project is illustrated in Figure 2.1. Further information on the physical characteristics of the project is presented in the accompanying documents which include a Screening for Appropriate Assessment.
(b) a description of the location of the project, with particular regard to the environmental sensitivity of geographical areas likely to be affected.	Yes, the information has been submitted. The location of the project is illustrated in Figure 2.1 of the Environmental Impact Assessment Screening/ Environmental Risk Report (March 2020) submitted by the applicant. This is set within the wider context of the Kinsale Area Gas Fields and the nearest land, as illustrated in Figure 1.1. The environmental sensitivity of the geographical areas where the site survey is planned are presented in Section 3. This includes detail on the climate, oceanography and hydrography, the biological environment, benthos, fish and shellfish, marine reptiles, birds, marine mammals, Natura 2000 sites, and other sea users.
2. A description of the aspects of the environment likely to be significantly affected by the project	
(a) a description of the aspects and their significance.	Yes, the information has been submitted. As noted above, Section 3 details the baseline environmental information for various aspects of the environment. Furthermore, Section 4 of the Environmental Impact Assessment Screening/ Environmental Risk Report (March 2020) presents the identification of potentially significant effects and EIA screening. Table 4.2 <i>Screening matrix for potential activity/environment interactions</i> presents a summary of the considerations for likely significant effects for each of the aspects present in the area where the site survey will be undertaken.
3. A description of any likely significant effects, to the extent of the information available on such effects, of the project on the environment resulting from:	
(a) the expected residues and emissions and the production of waste, where relevant, and	Yes, the information has been submitted. This information is addressed in Section 4 of the EIA Screening Report, specifically Table 4.2. The survey will introduce underwater noise into the environment. There is also the potential for accidental events, such as oil spills. These two issues are considered further in Sections 5.1.2 and 5.1.3 respectively.
(b) the use of natural resources, in particular soil, land, water and biodiversity.	Yes, the information has been submitted. The project is a site survey. Natural resources to be used are fuel (diesel) associated with the vessels, water and waste associated with people on the vessels.
4. The criteria of Annex III shall be taken into account, where relevant, when compiling the information in accordance with points 1 to 3.	
Have the criteria of Annex III been fully considered?	Yes. Refer to the following section for details.

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Table 3.3 EIA Directive Annex III Checklist Characteristics of the Proposed Project

Screening Questions	Summary	Is this likely to result in a significant impact? (Yes / No – Why?)
The characteristics of projects must be considered, with particular regard to:		
(a) the size and design of the whole of the project,	The size and design of the survey is detailed in Section 2 proposed survey lines, survey working areas and Kinsale infrastructure including platforms KA and KB shown in Figure 2.1 of the EIA Screening Report.	No, it is unlikely there will be any significant impacts due to the size and nature of the survey.
(b) cumulation with other existing development and/or approved projects;	<p>Cumulative effects are addressed in Section 5.2 of the EIA Screening. An application has been submitted by Exola DAC for a site survey approximately 25km from the Kinsale Bravo Platform between April and November 2020 or February and November 2021. This proposed survey overlaps with the 500m exclusion zone of the two 7 head field wells, therefore access will need to be allowed by Kinsale Energy so in combination effects will not be likely.</p> <p>Surveys due to take place on the INFOMAR programme, this survey will be conducted by the GSI and Kinsale Energy have noted they will liaise with the GSI to ensure avoidance of in combination effects.</p> <p>Proposed works on Celtic Interconnector and Ireland-France subsea cable are not likely to cause cumulative impact as the timing of the project does not crossover with the timing of the survey.</p> <p>Kinsale Energy plan to undertake a second survey, a rig site geophysical survey, at subsea well locations in support of rig mooring operations at Seven Heads, SW Kinsale/Greensands and Ballycotton. This survey is the subject of a separate application. Kinsale Energy will have no overlap between surveys, therefore no cumulative effects are likely.</p>	No impacts are expected. The survey will be planned out and communication will occur between other surveyors to ensure there is no overlap and therefore no cumulative effects.
(d) the use of natural resources, in particular land, soil, water and biodiversity,	Except for fuel and water, no other natural resources are required for this project.	No. Survey duration is approximately 1-2 days and fuel consumption is normal for vessels of this type.
(e) the production of waste,	Waste management has been considered and is addressed in the screening matrix for potential activity in the EIA screening report. The vessel used to conduct the surveys will meet MARPOL requirements and a garbage management plan is also in place for the vessel as required by legislation.	No, it is unlikely there will be any significant impacts.
(f) pollution and nuisances	Pollution management has been considered and is addressed in the screening matrix for potential activity in the EIA screening report. The vessel used to conduct the surveys will meet MARPOL requirements and a garbage management plan is also in place. Noise nuisance for the vessel as required by legislation.	No. Significant impacts are not expected to occur due to pollution or noise nuisance.

Noise nuisance is addressed in both the matrix table for potential impacts (Table 4.2) and in Section 5.1.2. Noise propagation is looked at in detail in relation to its effect on marine mammals, fish and fisheries, diving birds and marine turtles.

Marine mammal species have a very low chance of impact due to the small spatial footprint and short duration of the project. The risk of injury to fish is extremely remote and significant effects are deemed unlikely, limited evidence of effects from exposure to the frequencies amplified from potential source in this survey.

Regarding fish, it is noted there is a lack of evidence on behavioural changes due to survey noise, along with this the small spatial footprint and short duration of the planned survey results in an extremely low risk of behavioural change. Behavioural disturbance is linked to spawning and nursery activity which does not anticipate significant disruption and significant effects are not considered to be likely. The location of the survey and necessary exclusion zones will ensure that impacts on commercial fisheries in the wider Kinsale-Ballycotton-Seven Heads area will not occur. This information can also be found in Section 4 of the pre-survey fisheries assessment. These points are echoed in the pre-survey fisheries assessment.

The underwater noise characteristics of the potential sources in the planned survey in addition to the small spatial footprint and short duration of the planned survey, leads to the conclusion that significant negative effects on diving birds are considered to be highly unlikely.

With regard to marine turtles, the perceived limited sensitivity of the receptor, and the moderate intensity nature of the noise source, significant impacts on marine turtles (including Annex IV species, see Section 3.2.7) are considered extremely remote.

Section 4 of the pre-survey fisheries assessment confirms that the physical presence of the survey vessel, the location of the survey and the low number of vessels in the survey area will not result in an impact on fishing activities.

(g) the risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge,

The survey activities will be communicated through a Marine Notice issued by the Department of Transport Tourism and Sport and the survey vessel will display appropriate navigational lighting. In view of the duration and scale of activity (one vessel for approximately one week), the probability of a collision with another vessel is considered to be extremely low, such that potential effects are not considered to be likely.

No, notice of surveys will be given, and the duration of survey is short.

(h) the risks to human health (for example, due to water contamination or air pollution)

Impacts to human health are included in Table 4.2. An accidental event may cause pollution but this is highly unlikely to result in a risk to human health. Therefore, there is no likelihood of significant effects.

No, it is unlikely there will be any significant impacts due to the size and nature of the survey.

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Table 3.4 EIA Directive Annex III Checklist: Location of the Proposed Project

Screening Questions	Summary	Is this likely to result in a significant impact? (Yes / No – Why?)
The environmental sensitivity of geographical areas likely to be affected by projects, with particular regard to:		
(a) the existing and approved land use,	The existing and approved land use, the sites for surveying are Kinsale platforms Alpha and Bravo, which are linked to the Kinsale area gas fields. This is described in detail in Section 2 of the Survey Application, and briefly in Section 1.2 of the EIA Screening Report and Section 1.2 of the Pre-Survey Fisheries Assessment.	No, it is unlikely there will be any significant impacts due to the size and nature of the survey.
(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;	Excluding small amounts of fuel and water required for the vessels, natural resources are not required for use as part of this project.	No significant impact is likely.
(c) the absorption capacity of the natural environment, paying particular attention to the following areas: (i) wetlands, riparian areas, river mouths; (ii) coastal zones and the marine environment; (iii) mountain and forest areas; (iv) nature reserves and parks; (v) areas classified or protected under national legislation; Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC; (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure; (vii) densely populated areas; (viii) landscapes and sites of historical, cultural or archaeological significance.	Items (i), (iii), (iv), (vi) (vii) and (viii) are not relevant to the proposed project. Items (ii) and (v) are relevant. The project will be conducted within coastal zones and the marine environment. The effects on Natura 2000 sites is considered in the accompanying Screening for Appropriate Assessment report. The submitted documents contain sufficient information describing the environment within which the survey will take place, the baseline conditions of the environmental aspects and the impact that the survey will have on those aspects.	No, it is unlikely there will be any significant impacts

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Table 3.5 EIA Directive Annex III Checklist: Types and Characteristics of Potential Impacts

Screening Questions	Art. 3(1) Factors ^{Note 1} Assessed? Yes/ No	Comment
The likely significant effects on the environment of projects must be considered in relation to criteria set out under paragraphs 1 and 2 (of Annex III), with regard to the impact of the project on the factors specified in Article 3(1), taking into account		
(a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);	Yes	<p>The magnitude and spatial extent of any impacts that may occur are discussed and outlined in Table 4.2 of the EIA Screening Report.</p> <p>The applicant has provided sufficient information to determine that there will be no likely significant effects in relation to the factors specified in Article 3(1).</p>
(b) the nature of the impact;	Yes	<p>The nature of any impacts that may occur are discussed and outlined in Table 4.2 of the EIA Screening Report.</p> <p>Two aspects of the project are brought forward for further consideration given their potential for significant impacts. They are:</p> <ul style="list-style-type: none"> • Underwater noise • Accidental events. <p>The factors with the potential to be impacted are Population & Human Health (noise and accidental events), biodiversity (noise); Material Assets (noise and accidental events). The applicant further addresses the potential for significant impacts of noise in Section 5.1.2 and accidental events in Section 5.1.3.</p> <p>For noise, Section 5.1.2 presents an assessment with regard to the potential effects on different species including birds, fish and marine mammals. The assessment of potential marine mammal hearing damage is based on the Southall et al. (2019) criteria which is the current best practice. The impact assessment of potential behavioural disturbance of marine mammals is complex as illustrated in the assessment but not considered likely given the location and nature of the activities proposed. The assessment on fish species is based on Popper et al. (2014) Hawkins et al. 2015 and Slabbekoorn et al. 2019 which is recognised as current best practice. Similarly the potential impacts on diving birds (who have limited exposure to underwater noise) and marine turtles who have low sensitivity are adequately assessed. The conclusions drawn in each case are evidence based and reasonable.</p> <p>The potential for significant effects from accidental events is considered remote. Given the scale of operations and the area of the project this conclusion is reasonable.</p> <p>The applicant has provided sufficient information to determine that there will be no likely significant effects in relation to the factors specified in Article 3(1).</p>
(c) the transboundary nature of the impact;	Yes	<p>Transboundary impacts are not expected, the nearest median line is located 75 km away at the border between Ireland and the United Kingdom.</p> <p>The likely nature and footprint of effects described above are regarded to be localised in extent, minor in a regional context, and are not regarded to pose a risk of transboundary effects to UK waters.</p>

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Screening Questions	Art. 3(1) Factors ^{Note 1} Assessed? Yes/ No	Comment
(d) the intensity and complexity of the impact;	Yes	The possible duration and intensity of impacts is provided in Table 4.2 of the EIA Screening Report. The applicant has provided sufficient information to determine that there will be no likely significant effects in relation to the factors specified in Article 3(1).
(e) the probability of the impact;	Yes	A table outlining the probability of all listed impacts can be found in Table 4.2 of the EIA Screening Report. Impacts that are listed are noted to be remote, unlikely or negligible. Impacts that occur in relation to this project are noted as being Major, moderate or negligible. Major impacts would only occur if there was an accidental event. Moderate and negligible impacts. The applicant has provided sufficient information to determine that there will be no likely significant effects in relation to the factors specified in Article 3(1).
(f) the expected onset, duration, frequency and reversibility of the impact;	Yes	Based on the information provided in the EIA Screening Report, no significant impacts are expected to occur. Impacts probabilities are provided in Table 4.2 of the EIA Screening Report. The duration of the impacts is limited given the length of the survey (1 to 2 days) and the area over which the survey will take place. The applicant has provided sufficient information to determine that there will be no likely significant effects in relation to the factors specified in Article 3(1).
(g) the cumulation of the impact with the impact of other existing and/or approved projects;	Yes	Cumulative effects are addressed in Section 5.2 of the EIA Screening. An application has been submitted by Exola DAC for a site survey approximately 25km from from the Kinsale Bravo Platform between April and November 2020 or February and November 2021. This proposed survey overlaps with the 500m exclusion zone of the two 7 head field wells, therefore access will need to be allowed by Kinsale Energy so in combination effects will not be likely. Surveys due to take place on the INFOMAR programme, this survey will be conducted by the GSI and Kinsale Energy have noted they will liaise with the GSI to ensure avoidance of in cumulative effects. Proposed works on Celtic Interconnector and Ireland-France subsea cable are not likely to cause cumulative impact as the timing of the project does not crossover with the timing of the survey. Kinsale Energy plan to undertake a second survey, a rig site geophysical survey, at subsea well locations in support of rig mooring operations at Seven Heads, SW Kinsale/Greensands and Ballycotton. This survey is the subject of a separate application. Kinsale Energy will have no overlap between surveys, therefore no cumulative effects are likely. Cumulative impacts are not expected based on the size and design of the survey. This survey will be timed with other surveys and projects taking place nearby to ensure that no overlaps will occur. The applicant has provided sufficient information to determine that there will be no likely significant effects in relation to the factors specified in Article 3(1).

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Screening Questions	Art. 3(1) Factors ^{Note 1} Assessed? Yes/ No	Comment
(h) the possibility of effectively reducing the impact.	Yes	<p>No significant impacts are expected to occur. The applicant has stated that the vessel will adhere to MARPOL regulations on the prevention of pollution by oil and sewage from ships. Impacts probabilities are provided in Table 4.2 of the EIA Screening Report.</p> <p>Two aspects of the project were given further consideration for significant impacts. They are:</p> <ul style="list-style-type: none"> • Underwater noise • Accidental events. <p>The factors with the potential to be impacted are Population & Human Health (noise and accidental events), biodiversity (noise); Material Assets (noise and accidental events). The applicant further addresses the potential for significant impacts of noise in Section 5.1.2 and accidental events in Section 5.1.3.</p> <p>The applicant has provided sufficient information to determine that there will be no likely significant effects in relation to the factors specified in Article 3(1).</p>

Note 1: The Article 3(1) factors are as follows:

- Population and Human Health;
- Biodiversity;
- Land, Soil, Water, Air & Climate;
- Material Assets, Cultural Heritage and Landscape; and

The interaction between the factors above.

4 CONCLUSION

The following documents submitted by the applicant were all considered in this review:

- Cover Letter
- Environmental Impact Assessment Screening/ Environmental Risk Report
- Pre-survey Fisheries Assessment
- Appropriate Assessment Screening Report
- Application Form
- Evidence of Notification of Statutory Consultees;
- Submissions and observation received as part of the consultation; and

In carrying out the technical review for EIA Screening we have assessed the information submitted by the applicant against the requirements set out in Annex II and Annex III of the EIA Directive.

Having regard to the scale and nature of the project and based on a considered assessment taking account of the available information, the overall probability of impacts on the receiving environment arising from the project is considered to be low.

It is the opinion of RPS that sufficient evidence has been provided in the application documentation and it can be determined that the project will have no likely significant effects on the environment. Therefore, an Environmental Impact Assessment of the project is not required. This conclusion has been made by reference to the Annex II and Annex III criteria as set out in the EIA Directive.

It is recommended that the following conditions be added to any consent:

- 1. The applicant must seek approval from DCCAIE prior to the commencement of the survey should alternative vessels and/or equipment be proposed. In this event, confirmation will be required that the survey equipment and methodology on any replacement vessel are equivalent to that described in the applicant's application documents, and that the nature and extent of the proposed activities described in those documents have not materially changed.*
- 2. The applicant shall have a suitably qualified visual observer on-board for the duration of activities to ensure that there are no significant effects on species of bird or marine mammal.*

It is noted that formal determination of whether an EIA is required will be made by the Minister for the DCCAIE. The determination will not be prejudiced by this review.