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27.10.20

Ref: F007028 – Drogheda Port Company– Foreshore Application

Dear [REDACTED]

Drogheda Port Company (DPC) notes the consolidation of comments from prescribed bodies provided by the Department of Housing, Planning and Local Government (DHPLG) on the 16th of October. The prescribed bodies providing comment are:

- DHPLG Water Marine Advisor;
- Sea Fisheries Protection Authority (SFPA);
- Marine Institute (MI),
- Marine Survey Office (MSO)
- Inland Fisheries Ireland (IFI)
- Department of Agriculture, Food and the Marine (DAFM); and
- Department of Culture, Heritage and the Gaeltacht (DCHG).

DPC notes that the observations provided by the SFPA, MI and MSO indicate that these bodies have no objections to the Foreshore Licence application. The prescribed bodies which provided observations requiring a response are the DHPLG Water Marine Advisor, IFI, DAFM and DCHG.

Please see below the corresponding responses from DPC to those comments which need to be addressed:

1. Water Marine Advisor (DHPLG)

- o Annual dredged volumes not to exceed those quantities as set out in Table on Page 6 of Attachment A "Description of Proposed Works" i.e. 220,000 cubic metres.

DPC comment: No issue with quantities as per application.

- A Dumping at Sea Permit shall be obtained from the EPA to cover the disposal of dredged material to Disposal Sites A1, A2 as appropriate when the current Dumping at Sea Permit S0015-02 expires.

DPC Comment: EPA Dump at Sea permit application in process.

- The term of the Foreshore Licence shall run in tandem with that of any Dumping at Sea Permit granted by the EPA.

DPC comment: No issue with Foreshore Licence term as long as it's as requested i.e. 8 years.

- At least 30,000 cubic metres of dredged material per annum shall be retained within the coastal cells (A1, A2) in accordance with the recommendations as set out at 4.0 "Conclusions" in the RPS Report entitled "Maintenance Dredging Licence Application Hydraulic Modelling Study", dated 25 May 2019.

DPC comment: 30,000m³ will be retained within coastal cell as per application.

- Dredged material shall not be disposed of at Dump site A2 during the months of July and August in any year for which this Foreshore Licence remains valid.

DPC comment: No issue with exclusion of the A2 site in July, /August.

- Mitigation Measures as set out at Section 6 of the Natura Impact Statement (NIS), dated 22 November 2019, inclusive of those as set out in Section 6.1.3.1 of the said NIS, shall be adopted where relevant unless otherwise varied by or directed by other condition in this Licence.

DPC comment: Mitigation measures as described in Section 6.1.3.1 will be followed.

- Where appropriate Marine Notice, lighting and markings shall to be carried out in consultation with the Maritime Safety Directorate, Department of Transport, Leeson Lane, Dublin 2 and all vessels/ plant used in association with the proposed dredging campaigns to have appropriate certification from the Marine Survey Office.

DPC comment: Agreed that notification of dredging shall be made to Directorate and vessels/plant will have appropriate certification.

2. Inland Fisheries Ireland

The IFI have requested the scheduling of the works outside the March – May migratory period. The IFI further qualify if works are needed then to be undertaken outside of the low water period.

DPC responds that unfortunately the March – May exclusion period is not possible as it is not possible to predict or schedule the storm events that generate the navigation restrictions due to accretion at the entrance of the channel.

However, DPC can commit to no dredging over the low water period as indeed is currently the practice. The beneficial re-use dredging with the current contracted plant does take place from 1st April onward. However, currently that's only 1 load per day, on a rising tide, generally daylight, Mon-Fri. This current TS Dredger is small in its physical dimensions and capacity, therefore its impact within the scale of the 100m wide channel at the breakwaters is minimal and diminishes further as the dredger operates out into the open sea to the 700m channel outer extremity. Additionally, beneficial re-use dredging only takes place at the entrance and seaward approaches, not within the enclosed estuary, berths and swing basins.

This may be subject to change/frequently with a change of contractor or plant.

3. Department of Agriculture, Food and the Marine

The DAFM has requested that DPC consult directly with any active local fishers, particularly a historical closed mussel fishery, on their proposed maintenance dredging programme and that DPC consult with the local angling clubs.

DPC responds by reiterating that a meeting was held with IFI and SFA who have direct responsibility for the closed mussel fishery. The IFI and SFPA raised no issues at this meeting and did not provide any objection to the Foreshore Licence application.

DPS responds that it will not be consulting with any angling clubs due to the fact that advertisements for both the Dump at Sea Permit application and Foreshore Licence application were placed in local and national newspapers and no responses were received from any angling clubs. DPC also wishes to state that it has not received any complaints or representation of any fishery clubs on any issues with respect to the port operations during the time served by the Harbour Master, Captain Martin Donnelly.

4. Department of Culture, Heritage and Gaeltacht

The DCHG have made the following requests:

- o No dredging shall take place within 10m of the wreck known as the "Boyne Boat" (53.72443N, 6.28670W) located in close proximity to the Queensborough navigational beacon.
- o No dredging shall take place within 10m of the wrecks of the four barges (053 43 09.14N, 006 18 30.22W) located adjacent to the turning area at Harbourville, Stagreeenan.
- o Drogheda Port shall forward a chart to the National Monuments Service showing the above exclusions in relation to the proposed dredging area in advance of any dredging taking place.

DPC agrees to adhere these requests and has no further comment.

Foreshore Licence – Draft Specific Conditions

Drogheda Port Company notes the draft Specific Conditions 1–17 to attach to the Foreshore Licence.

In respect of condition 1, we respectfully draw to the departments attention that the qualification of "be permitted to dredge up to 220,000 m3 annually of material" be inserted as under the current wording the time period is not specified and the application clearly states the 220,000m3 is an annual dredge figure.

Drogheda Port Company has no further comments in respect of the draft condition.

