

Prescribed Bodies Observations

Sea Fisheries Protection Authority:

The application refers to the placement of 3-6mt of rock contained within gabions and covered in geotextiles along a 265m area. The purpose is coastal protection of the Murrough itself. Given the location of the works, this application will not have a negative impact on the local shellfish fishing operations.

The application is for an upper intertidal section of the foreshore and therefore will not interfere with any sub-tidal wild fisheries.

There are no classified shellfish production areas in the area of the proposed works.

There is not expected to be any issues with seafood safety caused by the proposed works. The operators should be aware of the notification process should a pollution incident take place during the two month works period. The SFPA office with responsibility for Wicklow is Howth and should be contacted directly on 01-8321910 or sfpahowth@sfpa.ie.

Marine Institute:

The OPW Coastal Section intend to carry out works to the existing revetment at The Murrough located in Wicklow Town. The 260m length of revetment is located north of Wicklow Port and Harbour.

The proposed works include the re-profiling of the existing revetment and placement of a single layer of 3-6 tonne rock armour over the top. A gabion mattress wrapped in geotextile will be placed under the proposed revetment toe. A brief summary of the anticipated scope of the work is as follows:

- Site set-up, including all compound and laydown areas;
- Identify and protect all existing services;
- Re-profiling of the existing revetment;
- Placement of the new armour layer and gabion mattress. It is anticipated that the proposed 3–6 tonne rock armour will be delivered to site via the road network;
- Site clean-up and demobilisation; and
- All temporary works associated with the project, e.g. temporary traffic management, etc.

The timescale for the completion of the work is estimated at approximately 3 to 6 months. The area of foreshore considered is 37.67 square metres.

The specific location of the works are indicated in the drawings submitted by the applicant:

- DR_001 – Site Location Map
- DR_002 – Foreshore Lease Map

There are no licenced aquaculture sites adjacent to area of the proposed works. The nearest licenced aquaculture site (T32/027A) is located circa 28Km to the south of the proposed works site in Wicklow Town. Considering the location and nature of the proposed works and the relatively short duration proposed, the Marine Institute is of the view that significant impacts on the aquaculture in the area not likely. Similarly, impacts on sea-fisheries are not considered likely.

Considering the location, nature and scale of the proposed works the Marine Institute is of the view that significant impacts on the marine environment are not likely. The Marine Institute, having reviewed the AA Screening Report, are of the view that significant impacts on the conservation features of Natura 2000 considered will be avoided.

On the basis of the above the Marine Institute has no objections to a lease being granted.

Wicklow Municipal District:

On behalf of Wicklow Municipal District please note the following observations:

1. WMD are delighted to see these repair works proceed and will assist the construction team as much as possible.
2. This is an extremely busy recreational area. Please ensure a pedestrian management system for the duration similar to what the OPW had in place during emergency repair works last year.

Department of Housing, Local Government and Heritage Marine Advisory Unit:

“Project overview:

The Murrough is a 15km long coastal wetland area which extends north of Wicklow Town and continues as far as Greystones, Co. Wicklow. It is among the largest coastal wetland complex on the East coast of Ireland. The Murrough Coast Protection Scheme was originally constructed in the mid 1970's under the Coast Protection Act of 1963. The scheme comprises of a rock armoured revetment / apron structure and retaining wall and extends over a length of approximately 260m. There is a statutory requirement on the OPW to carry out maintenance works on coast protection schemes that were constructed under the Act to maintain these schemes in “proper repair and effective condition”.

Brief description of works:

The OPW Coastal Section intend to progress works to the existing revetment at The Murrough located in Wicklow Town. The 260m length of revetment is located north of Wicklow Port and Harbour. The proposed works include the re-profiling of the existing revetment and placement of a single layer of 3-6 tonne rock armour over the top. A gabion mattress wrapped in geotextile will be placed under the proposed revetment toe. A brief summary of the anticipated scope of the work is as follows:

- Site set-up, including all compound and laydown areas;
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- Site clean-up and demobilisation; and
- All temporary works associated with the project, e.g. temporary traffic management, etc.

The timescale for the completion of the work is estimated at approximately 3 to 6 months. Works will occur during normal working hours between 08.00 and 19.00hrs. No artificial lighting is therefore anticipated at the works location. The applicant (OPW) has designed the scheme in accordance with the relevant codes.

Estate Management:

All foreshore is presumed State owned unless proven otherwise. In this case there are no known established claims of private ownership of the foreshore at this location and no known claims of private ownership. Therefore, the foreshore the subject of this application is State owned. Accordingly, Section 2 of the Foreshore Act applies for the proposed Coastal Protection works. It should be noted, as stated above, while the OPW has an statutory requirement to carry out maintenance works on coastal protection scheme, the works proposed necessitates encroachment onto the foreshore, hence the need for a Section 2 lease. The lease area for the proposed works is shown in the following map submitted by the applicant:

- Map No: DR_002-Foreshore Lease Map Rev I2 Date 18/05/2020

The proposed area of foreshore associated with the proposed works is 37.67M2. The applicant shall use that part of the foreshore, the subject matter of the application for the purposes as outlined in the application and for no other purposes whatsoever. Where relevant the foreshore and adjacent seashore area shall be restored to its natural state on completion of the works to the satisfaction of the Department of Housing, Local Government and Heritage.

Public Interest:

Section 2 and 3 of the 1933 Foreshore Act, as amended, states that a lease or licence of state foreshore may be granted “If, in the opinion of the Minister, it is in the public interest”. As foreshore is a finite and valuable national resource and public amenity, it

is important that each plan and project is fully assessed to ensure, that if consented to, it is a sustainable and proper use of that finite and valuable resource. Having considered and assessed the relevant issues associated with the revetment repair works, while taking note that the State owned foreshore is finite resource which must be utilised sustainably, the WMAU is satisfied that the proposed works are in the Public Interest.

Conclusion/Recommendation:

The WMAU has no objection to the granting of a Section 2 Foreshore Lease subject to the following conditions:

1. The Lessee shall use that part of the foreshore, the subject matter of this lease for the purposes as outlined in the application and for no other purposes whatsoever.
2. The revetment repairs shall be located on the foreshore as outlined on Map No: DR_002-Foreshore Lease Map Rev I2 Date 18/05/2020
3. Works on the foreshore shall be certified by a Chartered Engineer stating that they are designed to the relevant Irish or British Standard Specification or Codes of Practice for strength, stability and durability.
4. On completion of the works, the Lessee shall submit to the Department of Housing, Local Government and Heritage a statement from a suitable qualified Chartered Engineer confirming that works are completed in accordance with the documents submitted.
5. The Lessee shall notify the Department of Housing, Local Government and Heritage at least 14 days in advance of the commencement of any works on the foreshore. This notification shall include an up to date Programme of Works for the completion of the project.
6. During the course of the works the Lessee shall ensure that existing public access arrangements are maintained, where possible, and all necessary precautions are put in place to protect the public in accordance with relevant Health and Safety Legislation.
7. On completion of the works, the surrounding foreshore shall be returned to its natural state to the satisfaction of the Department of Housing, Local Government and Heritage.
8. The Lessee shall ensure that contractors, and their subcontractors, are made aware of all conditions and project specific requirements and they are required to have briefings on these to ensure all parties are fully aware of these requirements.

Department of Agriculture and Food:

Having consulted with our technical advisors, please include the condition below in any licence that may issue.

- There is not expected to be any issues with seafood safety caused by the proposed works. The operators should be aware of the notification process should a pollution incident take place during the two month works period. Notification if needed should be directed to the Howth SFPA office.

Inland Fisheries Ireland:

Overview:

The proposed maintenance works include the re-profiling of the existing revetment and placement of a single layer of 3-6 tonne rock armour over the top over a distance of 265m. A gabion mattress wrapped in geotextile will be placed under the proposed revetment toe.

IFI Comments:

The revetment works in The Murrough were constructed in the 1970's under the Coast Protection Act 1963. The supporting documents do not contain a Construction Environmental Management Plan (CEMP). Any risk of pollution to the aquatic environment at The Murrough must be addressed and the following conditions are outlined:

1. There is the potential for the release of oils and fuels, which can have a direct impact on fish, fish food and fish habitat. All refuelling of machines and equipment must take place well away from the shoreline. All fuels, lubricants and hydraulic fluids must be kept in secure bunded areas away from the shoreline. The bunded area shall accommodate 110% of the total capacity of the containers within it.
2. An effective spillage control procedure must be put in place with all staff properly briefed. Any waste oils or hydraulic fluids shall be collected, stored in appropriate containers and disposed of offsite in an appropriate manner. Spill kits, with an appropriate capacity for the contaminants used on site must be kept on site and must be made available throughout the construction process.
3. IFI must be included in an Emergency Response Plan as a notifiable body in the event of water pollution occurring during construction works. Particular attention to activities likely to generate suspended solids and/or other pollutants and the proposals to prevent these pollutants need to be specified.
4. It is not clear if any cementitious material will be used on site. Cement and concrete are toxic to fish. Measures must be taken during all aspects of construction to ensure that no concrete is allowed to enter intertidal waters whether from pouring or mixing of cementitious material.

The CEMP should be forwarded to the local IFI Environmental Officer.

IFI considers that the nature of the work will have minimal effect on the local fish population provided the mitigation measures outlined in a suitable CEMP and outlined above are implemented.

Marine Survey Office:

After careful consideration the Marine Survey Office has no objection to the proposed works in the application referenced in the subject line from a navigational safety perspective.

Underwater Archaeology Unit:

The UAU has no comment to make on this application.

National Parks and Wildlife Service:

The NPWS has no comment to make on this application.