

**Consolidated Prescribed Bodies Observations
FS007223 Dundalk Port Maintenance Dredging**

Contents

Marine Survey Office (MSO)	2
Marine Institute (MI)	2
Inland Fisheries Ireland (IFI)	3
Department of Agriculture, Food and the Marine (DAFM)	4
Underwater Archaeology Unit (UAU)	5
Sea Fisheries Protection Authority (SFPA)	5
Marine Advisor (Department of Housing, Local Government and Heritage)	6
National Parks and Wildlife Service (NPWS)	9

Marine Survey Office (MSO)

21/07/2021

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. However the following shall be noted;

- A local Marine Notice shall be published for the information of all local maritime users detailing the proposed dredging campaign and any associated hazards to navigation arising for the duration of the licence period.

Marine Institute (MI)

30/07/2021

Re: FS007223 - Dundalk Port Maintenance Dredging

Dundalk Port submitted a foreshore application for the loading of dredge spoil as part of a 10-year maintenance dredging program. In addition to the application form, Dundalk Port submitted a number of other documents and figures (maps), including:

- Dundalk Harbour Navigational Channel Stability Study
- Natura Impact Statement
- Supporting Documentation

Project Summary:

On the basis of information provided in the application form and associated documentation, it is proposed to carry out maintenance dredging at Soldiers Point and near Buoy 15 in the Navigation Channel. The estimated volume of material to be removed is approximately 5,000m³ per year.

The material to be removed is primarily fine to medium, well sorted, clean sand with an average grain size of 0.21mm. It is proposed that the dredged sand will be brought on-shore and used beneficially as a product, as in 2014, or, failing this for any reason, will be disposed in an appropriate facility. A Foreshore License has been applied for a 10-year period from 2022 to 2031 inclusively.

Assessment

Chemical analysis of sediments to be loaded was carried out and presented with the application. The analysis was based upon a plan designed by the Margot Cronin (Environmental Chemist, Marine Institute).

Sampling for sediment chemistry was carried out on seven samples taken from along the navigation channel. DDX (DDT, DDD, DDE) was found in one sample at location 3 (see attached sampling plan), but not exceeding the ERL. Dundalk sediment is considered clean.

It should be noted that the assessment guidelines for Dumping at Sea are not used for bringing the sediment on land. If this sediment is being brought up on land, it will need to be assessed using the Waste Assessment Criteria. It is the understanding of the MI that the EPA issues waste licences for this activity.

Risk to conservation features associated with the proposed activity are communicated in the NIS report. The interactions identified are appropriate and assuming the mitigation measures proposed are implemented in full, the likely interactions are not considered significant to conservation features. The Marine Institute agrees with the conclusions communicated in the NIS. It notes in a separate communication that the activities will not occur during the months of March to May in order to minimise any impact on migratory salmon. This is considered an appropriate measure.

Interactions with Fisheries and Aquaculture operations

There are no licenced aquaculture sites within the proposed areas to be dredged. The closest licenced aquaculture site is in Carlingford Lough. Commercial fishing activity is carried out in Dundalk Bay for cockles and razor clams. Given the confined nature of the activity it is unlikely to impact on these activities and the resources they fish.

On this basis, and considering the information above, impacts on aquaculture and sea fishing from the proposed activity are not considered likely.

Inland Fisheries Ireland (IFI)

09/08/2021

Re: Foreshore Licence application FS007223 by O'Hanlon and Sons in respect of Maintenance Dredging at Soldiers Point, Dundalk Bay, Co. Louth.

Overview:

- Foreshore license sought from 01/01/2022 to 31/12/2031. Duration of each maintenance campaign will be dependent on the natural sedimentation that has occurred but limited to 5,000m³ annually.
- Area A – Soldiers Point = 6.78 Hectares Area B – Buoy 15 = 1.94 Hectares. There are two dredge sites. One is approximately 30m from the shore and the other is approximately 1km.
- The navigation channel for Dundalk was historically maintained at a depth of at least 0.75m below Chart Datum. Some overdredging beyond this level to provide sedimentation capacity would have occurred. Currently, the Port is trying to maintain at least 0mCD (0.75m shallower than historical level) to allow the Port to continue to operate. However, should trade conditions improve over the term of the requested license the deepest dredging depth that is envisaged is no greater than 1m below CD.
- The amount and frequency of maintenance dredging required to keep the channel at -0.75m CD will depend upon prevailing weather conditions. For example a series of strong to gale south easterly winds could reduce the channel depth by 0.4m in a relatively short period of time.

- Dredging would be carried out over a period outside of the months of March to May, which is the migratory period of juvenile salmon (smolts).
- Disturbance will be confined to limited sections of the navigational channel only, totalling 8.72 Hectares or 0.167% of the SAC (5,234 Hectares).

Specific Comments:

In relation to the previous application (FS006425 – October 2014), when was the dredging undertaken in previous years and over how many days? If the works have taken place at different time in different years this would minimise the impact on any one fish species or lifestage. The time scale that the dredging takes place annually will give an indication of the short and temporary impact on the fish species in the area. This information would be very useful in evaluating the application.

The application mentions that there will be no waste deposited into the sea from the dredger at any time. Bilgewater and wastewater from the dredger will be brought onshore for proper removal and disposal by licensed waste contractors. Contractors working on-site during the works will be responsible for the collection, control and disposal of all wastes generated by the works. Refuelling of the dredging vessel will take place at the quayside using suitable hoses etc to avoid any spillages. An effective spillage control procedure must be put in place with all staff properly briefed to prevent poor water quality run off from the stored dredged material.

The local IFI office should be notified in advance of the works commencing.

IFI welcome the close season as a mitigation measure to reduce impact of salmon smolts.

Inland Fisheries Ireland Observation 2

19/10/2021

We are surprised that they do not have this information and we would request that they start to record this information for future foreshore applications. Can this be made a condition of the foreshore licence and potentially all dredging FS licences should have this provision in it?

We need to know the dates the dredging took place every year (date started, date finished, duration of dredging (days)).

As it is a requirement for the port to notify relevant authorities in advance of works commencing it should be easy to keep a record from this year onwards.

Department of Agriculture, Food and the Marine (DAFM)

12/08/2021

The Department of Agriculture, Food and the Marine has no objection to the proposal below.

One observation should be included in the consideration of the licence is set out below:

“There is not expected to be any issues with seafood safety caused by the proposed dredging operations. The operators should be aware of the notification process should a pollution incident take place during the survey period. The SFPA office with responsibility for Dundalk Port is SFPA Howth and they should be contacted directly on 01-8321910 or sfpahowth@sfpa.ie”.

Underwater Archaeology Unit (UAU)

16/08/2021

The UAU have no comment to make on this application.

Sea Fisheries Protection Authority (SFPA)

13/09/2021

Application No:	FS007223	Applicant Name:	Dundalk Port Company
Application Category			
Aquaculture	Foreshore General	Energy	Other
	Maintenance dredging		
Location	Dundalk	Species	N/A
Date	12-8-21	SFPA Region	Eastern

Inspectors comments
<p>The application refers to maintenance dredging of the navigation channel into Dundalk Port Soldiers Point (6.78 Ha) & Buoy 15 (1.94 Ha). The process is short in duration and will cause little or no disturbance to fishing operations in the area. The fishing fleet operating out of Dundalk Port are currently restricted due to the lack of water at certain stages of the tide due to the build up of material on the sea bed. The dredged material is to be landed into Dundalk Port and removed. There is no plan in the application to dump the dredged material further out to sea as in previous applications.</p> <p>The applicant should keep in contact with the fishermen representatives in Dundalk and Clogherhead to ensure that all static gear is removed from the proposed areas and that dredging for razor clams may be restricted while the dredger is operating</p>
1. Wild Fisheries

There are two bivalve fisheries within Dundalk Bay, Cockle, *Cerastoderma edule* and Razor Clam, *Ensis siliqua*. Due to the locations and depths it is unlikely that there will be any long-term disturbance to either species. Adjacent to the proposed areas there are static fishing operations for crustaceans.

The proposed dredging operations will not restrict the SFPA in conducting official control duties in the area.

2. Shellfish Production Areas

Dundalk Bay is classified as a shellfish production area for both cockle and razor clam and proposed works fall inside the classified shellfish production area. Due to the location and depth it is unlikely that any long-term damage to either species will occur. The razor clam fishery operates on an annual basis whereas the cockle fishery is seasonal and normally operates from July to October.

3. Seafood Safety

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


Sea Fisheries Protection Officer

Date 12-8-2021

Marine Advisor (Department of Housing, Local Government and Heritage)

15/09/2021

Re: Foreshore licence application for Dundalk Port maintenance dredging - FS 007223

Applicant: O'Hanlon & Sons

Supporting information submitted:

- Completed Application Form
- Dundalk Harbour Navigational Channel Stability Study
- Foreshore Licence Map (Admiralty)
- Foreshore Licence Map (OS)
- Natura Impact Statement
- Sediment Sampling EPA Threshold Comparison
- Supporting Documentation

Project overview

O'Hanlon & Sons has made a Licence application under Section 3 of the Foreshore Act. Dundalk Port is owned by Dublin Port Company (DPC) and leased to O'Hanlon and Sons Ltd. Due to ongoing sediment accretion in the approaches to Dundalk Port, vessel access has become limited. This is having a negative impact on the Port's trade and therefore maintenance dredging is required in the areas of Soldiers Point, and Buoy 15 to restore depth in the channel and safe vessel access. The remaining commercial ports are categorised as Ports of Regional Significance. Dundalk Port is a commercial port categorised as a Port of Regional Significance in the National Ports Policy, the policy is to facilitate a competitive and effective market for maritime transport services in Ireland.

Brief description of works

It is proposed to carry out maintenance dredging in the areas of Soldiers Point, and Buoy 15 in the navigation channel to/from Dundalk Port. A hydrographic survey was completed in the navigation channel in September 2020 and the depths over the area to be dredged ranges up to 0.8m above Chart Datum, severely restricting tidal access to the Port. It is planned to dredge the sea-bed to at least 0mCD and if possible restore the historical navigation levels of 0.75m below CD during the maintenance dredging operations. The estimated volume of material to be removed is 5,000m³ per year. It is proposed that the Foreshore License will run for a 10 year period from 2022 to 2031 inclusive. The applicant proposes to use Trailer Suction Hopper Dredger (TSHD) "Argus" (or similar) to carry out the dredging operations.

The works will be undertaken by industry best practice including the following measures:

- Dredging will be undertaken as efficiently as possible so that the number of dredger movements is minimized;
- There would be no ancillary waste deposited into the sea from the dredger at any time;
- Maintaining a low speed during dredging;
- Bilge water and waste water from the dredger would be brought onshore for proper removal and disposal by a licensed waste contractor;
- Contractors working on site during the operation would be responsible for the collection, control and disposal of all wastes generated by the works;
- Refuelling of the dredging vessel would take place at the quayside using suitable hoses etc. to avoid any spillages; and
- Dredging would be carried out over a period outside of the months of March to May, which is the migratory period of juvenile salmon (smolts).

The material (primarily clean fine to medium sand with an average grain size of 0.21mm) to be dredged is good quality sediment and will be landed ashore at Dundalk Port for beneficial reuse. No marine disposal permit is required for this activity so a Dumping at Sea permit is not being required/sought from the Environmental Protection Agency (EPA).

The proposed works are designed by Anthony D Bates Partnership on behalf of the applicant in accordance with the relevant standards and 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 providing no claims of private ownership were raised during the application and public consultation process. Therefore, the

foreshore the subject of this application is state owned. Accordingly Section 3 of the Foreshore Act applies for the proposed dredging operation. The licence area for the proposed works is shown outlined in red on the following map submitted by the applicant:

- Map No: **595-FL-5 Rev O** entitled **Foreshore Licence Map** and Dated **24/05/2021**

The proposed area of foreshore associated with the works is 8.72Ha. 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 proposed dredging, while taking note that the state owned foreshore is finite resource which must be utilised sustainably, I am satisfied that the proposed works are in the Public Interest.

Conclusion/Recommendation

I have no objection to the granting of a Section 3 Foreshore Licence subject to the following conditions:

1. The Licensee shall use that part of the foreshore, the subject matter of this licence for the purposes as outlined in the application and for no other purposes whatsoever.
2. The maintenance dredging operation shall be located on the foreshore as outlined on Map No: **595-FL-5 Rev O** Dated **24/05/2021**.
3. The Licensee 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.
4. All dredging procedures follow industry best practice as set out in Section 3 of the Natura Impact Statement dated March 2021.
5. The Licence shall remain valid for a 10 year period from 2022 to 2031 inclusive. Dredging of the sea-bed shall be to a maximum of 0.75m below CD with a maximum dredge volume of 5,000m³ per annum.
6. During the course of the works the Licensee 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 Licensee 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.

National Parks and Wildlife Service (NPWS)

No response received

DRAFT