

Department of Housing, Local
Government and Heritage

**Foreshore Licence Application for
Dundalk Port Maintenance
Dredging**

National Marine Planning
Framework Policy Compliance
Assessment

REF/1

Issue 1 | 9 February 2022

This report takes into account the particular
instructions and requirements of our client.

It is not intended for and should not be relied
upon by any third party and no responsibility
is undertaken to any third party.

Job number 285794-01

Ove Arup & Partners Ireland Ltd

Arup
50 Ringsend Road
Dublin 4
D04 T6X0
Ireland
www.arup.com

ARUP

Document verification

ARUP

Job title		Foreshore Licence Application for Dundalk Port Maintenance Dredging		Job number 285794-01	
Document title		National Marine Planning Framework Policy Compliance Assessment		File reference	
Document ref		REF/1			
Revision	Date	Filename	Dundalk Port maintenance dredging NMPF Compliance Assessment draft 1.docx		
Draft 1	17 Jan 2022	Description	First draft		
			Prepared by	Checked by	Approved by
		Name			
		Signature			
Draft 2	28 Jan 2022	Filename	Dundalk Port maintenance dredging NMPF Compliance Assessment draft 2.docx		
		Description	Second Draft		
			Prepared by	Checked by	Approved by
		Name			
		Signature			
Issue 1	9 Feb 2022	Filename	Dundalk Port maintenance dredging NMPF Compliance Assessment_Issue 1.docx		
		Description			
			Prepared by	Checked by	Approved by
		Name			
		Signature			
		Filename			
		Description			
			Prepared by	Checked by	Approved by
		Name			
		Signature			
<div style="text-align: right;"> Issue Document verification with document <input checked="" type="checkbox"/> </div>					

Contents

	Page
1 Introduction	1
2 Methodology	2
2.1 Information Available to Arup	2
2.2 Methodology	2
3 Background	3
4 Description of Proposed Development	4
4.1 Site Location	4
4.2 Tidal and Weather Conditions	5
4.3 Description of Proposed Works	5
5 National Marine Planning Framework	7
6 Conclusion	37
7 References	38

1 Introduction

Arup with Hartley Anderson were appointed by the Department of Housing, Local Government and Heritage (the Department) as independent environmental consultants in relation to the Foreshore licence application reference number FS007223, for maintenance dredging at Soldiers Point and near Buoy 15 in the navigation channel of Dundalk Port.

Arup and Hartley Anderson's brief included:

- a non-statutory environmental appraisal of the foreshore licence application,
- an assessment of the proposed activity in terms of its consistency with the objectives of the National Marine Planning Framework,
- screening for Appropriate Assessment, an Appropriate Assessment Stage 2, if the screening determined that an Appropriate Assessment Stage 2 was required, and
- a Risk Assessment under Article 12 of the Habitats Directive for the Species listed in Annex IV.

This report presents an assessment of consistency of the proposed maintenance dredging at Soldiers Point and near Buoy 15, in the navigation channel of Dundalk Port, with the objectives of the National Marine Planning Framework (NMPF).

2 Methodology

2.1 Information Available to Arup

The information regarding the proposed development, which formed the basis for the Arup assessment, was obtained from the application file (Ref. FS007223) on the Department's website: <https://www.gov.ie/en/foreshore-notice/6387a-dundalk-port-maintenance-dredging/>, which was accessed in December 2021.

The information comprised:

- **Application form and supporting documents**
- Application form [Applicant: O'Hanlon and Sons Ltd, 18 March 2021]
- Dundalk Harbour Navigational Channel Stability Study [RPS, dated October 2011]
- Foreshore Licence Map (Admiralty) [Colm Sheehan, dated May 2021]
- Foreshore Licence Map (OS) [P. Herr & Associates, dated May 2021]
- Natura Impact Statement [Anthony D Bates Partnership LLP, dated March 2021]
- Sediment Sampling EPA Threshold Comparison [Anthony D Bates LLP, dated February 2021]
- Supporting Information [Anthony D Bates LLP, dated March 2021]
- **Prescribed Body Consultation**
- Prescribed Bodies Observations
- Applicant's response to Prescribed Bodies Observations.

2.2 Methodology

Arup relied on the information from the Applicant and the statutory bodies contained in the application file on the Department's website, listed above. Arup relied on the description of the baseline environment and the proposed works provided by the Applicant, and on the commitments and proposed mitigation measures.

Arup had regard to the findings of the *Screening for Appropriate Assessment Dundalk Port Maintenance Dredging Foreshore Licence Application* (Hartley Anderson, 2022), *Article 12 Risk Assessment Dundalk Port Maintenance Dredging Foreshore Licence Application* (Hartley Anderson, 2022) and the *Foreshore Licence Application for Dundalk Port Maintenance Dredging Environmental Report (Non-statutory)* (Arup, 2022).

Conditions to be attached to the licence, should the Minister decide to grant one, were proposed in the *Foreshore Licence Application Environmental Report (Non-statutory)*. In this assessment Arup also had regard to the proposed conditions.

3 Background

Dundalk Port is owned by Dublin Port Company and leased to a local Dundalk company, O'Hanlon and Sons Ltd. The Castletown River, which is used by boats to access the Harbour, provides a channel through the intertidal zone in the north-west corner of Dundalk Bay. The location of the channel is shown in Figure 1.

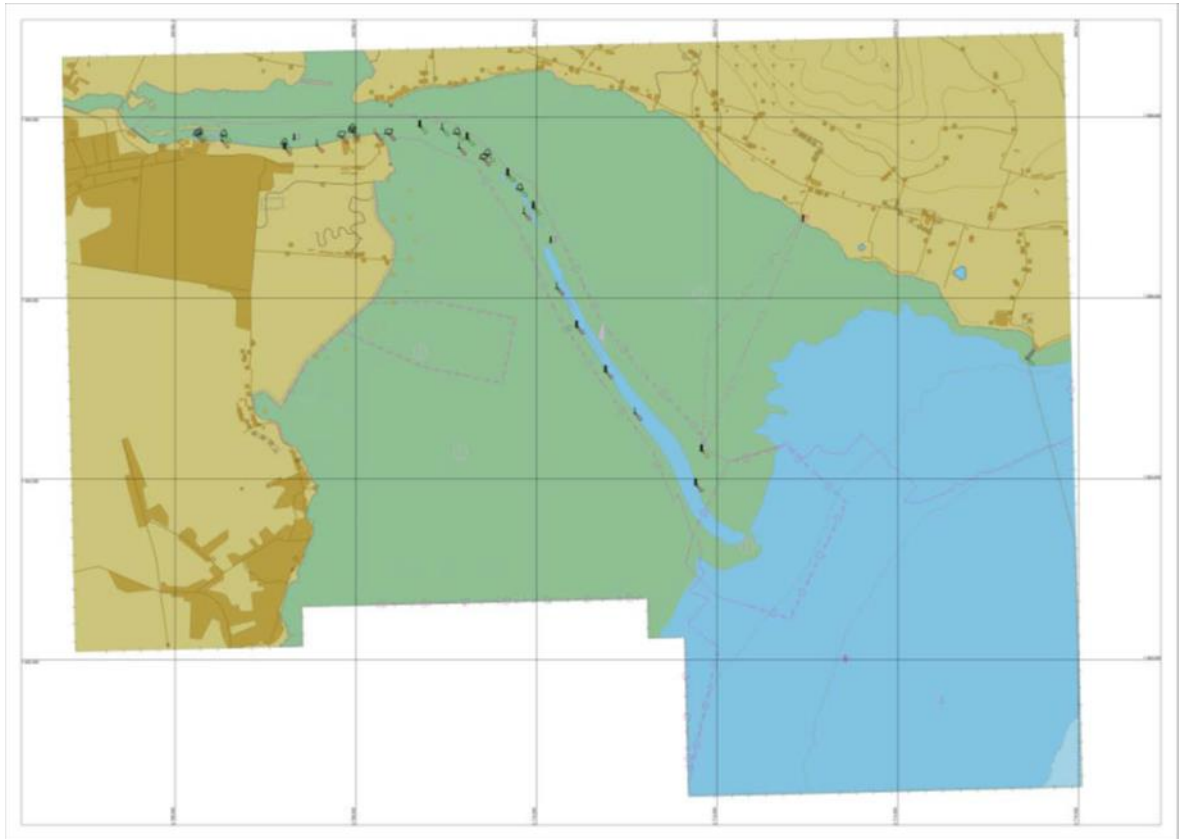


Figure 1: Dundalk Harbour Navigation Channel Source: DHLGH, Foreshore Licence Application Ref. FS007223

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 the depth in the channel and safe vessel access.

Previous dredging campaigns have been undertaken between two and four times per year since 2001. The most recent Foreshore licence FS006425 for maintenance dredging was granted in 2015.

4 Description of Proposed Development

4.1 Site Location

Dundalk Bay is located on the east coast of Ireland (Figure 2) and stretches for approximately 16 km from the Cooley Peninsula in the north, to Annagassan and Dunany Point in the south. The bay has large expanses of inter-tidal areas which are exposed at low water.

The inner bay is shallow, sandy and intertidal. The hydraulics of the bay are dominated by the sea. However, the bay encompasses the mouths and estuaries of the rivers Dee, Glyne, Fane, Castletown and Flurry. The bay is designated under the EU Habitats Directive as a Special Area of Conservation (SAC). It is a Special Protection Area (SPA) under the EU Birds Directive and a Ramsar Site.

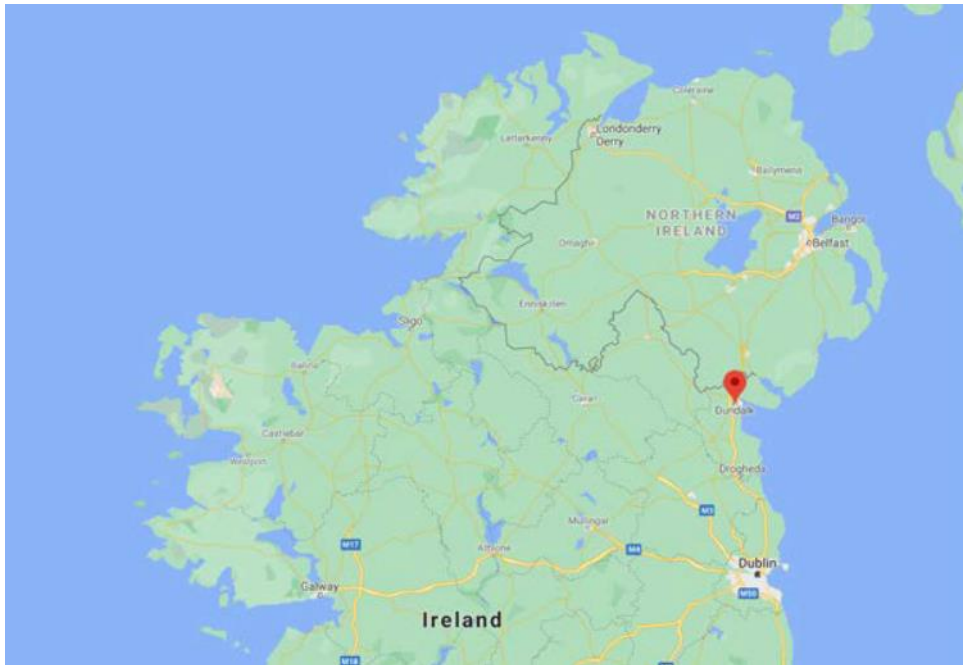


Figure 2: Location of Dundalk Bay on the East Coast of Ireland Source: DHLGH, Foreshore Licence Application Ref. FS007223

The Castletown River is used by vessels to access Dundalk Port. The river provides a channel through the intertidal zone in the north-west corner of the bay and has been used by small ships to access to Dundalk Port for many years. The location of the channel is shown in Figure 1.

Dundalk Port which is located in Dundalk town comprises a concrete quay, with a hard-standing area behind for offloading and storage purposes. There are also other facilities and infrastructure on the quay including several mobile cranes, storage warehouses, small mechanical plant and an office/harbour reception building. The navigation channel for Dundalk was historically maintained at a depth of 0.75m below Chart Datum but currently the Port is trying to maintain at least 0mCD (0.75m shallower) to allow the Port to continue to operate.

4.2 Tidal and Weather Conditions

The tidal range at Dundalk is relatively large for Irish waters with a mean spring range of 4.7 metres and a mean neap range of 2.6 metres. The bay is exposed to waves generated in the Irish Sea from an east northeast to south- southeast direction.

4.3 Description of Proposed Works

Dundalk Port seeks a foreshore licence to facilitate proposed maintenance dredging at Soldiers Point and near Buoy 15 in the Navigation Channel.

It is proposed to carry out maintenance dredging in the area highlighted in Figure 4. All areas proposed to be dredged are within the navigational channel and have been dredged previously. It is planned to dredge the seabed 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 approximately 5,000m³ per year. A hydrographic survey was completed in the navigation channel in September 2020 and the depths over the area to be dredged range up to 0.8m above Chart Datum, severely restricting tidal access to the Port.

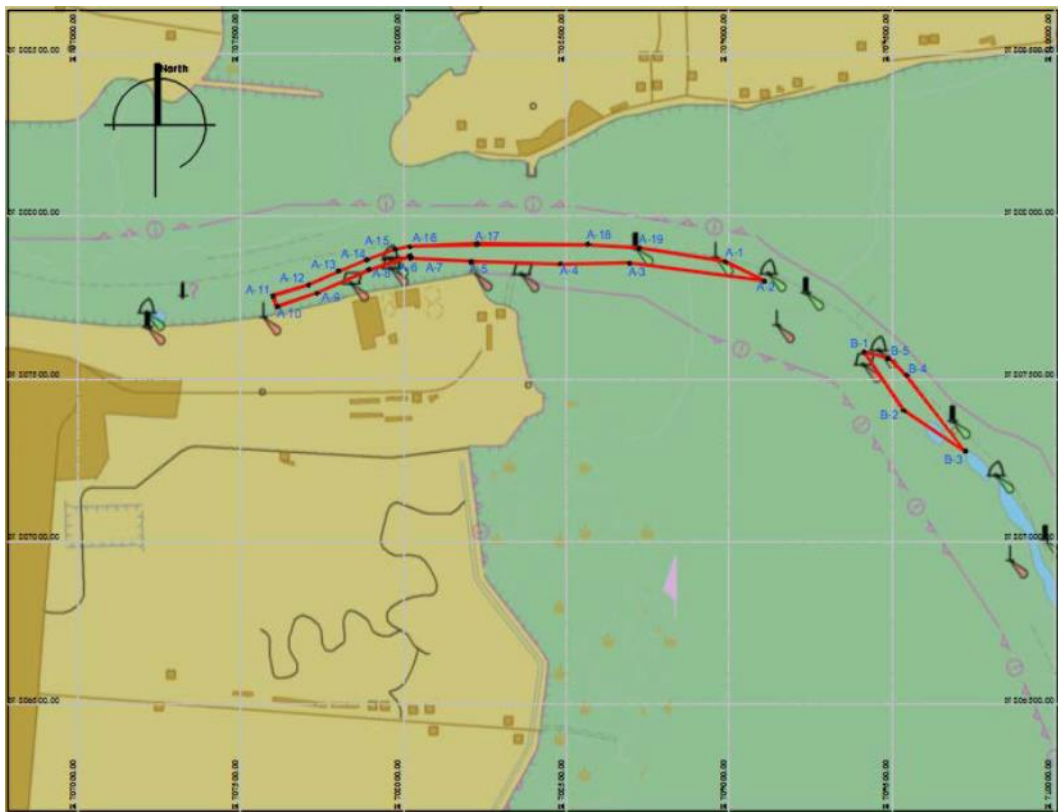


Figure 4: Proposed Dredging Areas in Channel at Soldiers Point and Buoy 15.
Source: DHLGH, Foreshore Licence Application Ref. FS007223

The material to be removed is primarily clean fine to medium sand with an average grain size of 0.21mm.

The chemical and physical properties of the sediment are described in the supporting information document of the foreshore application. Refer to Section 4.6.5 below.

It is proposed that the sandy material dredged will not be disposed of at an offshore disposal site. The dredged sand will be brought ashore and used beneficially as a product, as in 2014, or, failing this for any reason, will be responsibly managed and placed in an appropriate facility.

The Foreshore Licence is sought for a 10-year period from 2022 to 2031 inclusively, with an annual dredging allowance of 5,000m³.

Dundalk Port proposes to use the Trailer Suction Hopper Dredger (TSHD) "Argus" (or similar) to carry out the dredging operations. This vessel is owned by Londonderry Port and Harbour Commissioners, which uses it to maintain depths at Foyle Port and on the approaches in Lough Foyle. The TSHD Argus is also used at Drogheda Port.

5 National Marine Planning Framework

The NMPF was published in June 2021.

The NMPF brings together all marine-based human activities for the first time, and sets out the Government's vision, objectives and marine planning policies for each marine activity.

The NMPF does not replace or remove existing regulatory regimes or legislative requirements governing the operation of various marine sectoral activities. Rather, it provides an overarching framework for their continued operation.

The NMPF is structured as follows: Thirty-two overarching marine planning policies are group under three high level objectives and nineteen policy groupings. Sixteen key sectors/activities are identified. Sectoral objectives and policies are stated for each of these key sectors/activities.

The Department, as part of its decision-making processes authorising marine development and activities, is now obliged to consider the objectives of the NMPF.

In Table 1 below the consistency of the Dundalk Port Maintenance Dredging Project with the objectives of the NMPF is assessed.

Table 1: Consistency of the Dundalk Port Maintenance Dredging Project with the policies and objectives of the NMPF.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
Environmental - Ocean Health			
Environmental - Ocean Health Policy 1	<p>Compliance with NMPF policies relating to:</p> <ul style="list-style-type: none"> • Biodiversity • Non-Indigenous Species • Water Quality • Sea-floor and Water Column Integrity • Marine litter • Underwater Noise <p>should include demonstration of contribution to the relevant MSFD targets identified.</p>	Yes	Refer to relevant policy consistency assessments below.
Biodiversity			
Biodiversity Policy 1	<p>Proposals incorporating features that enhance or facilitate species adaptation or migration, or natural native habitat connectivity will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals that may have significant adverse impacts on species adaptation or migration, or on natural native habitat connectivity must demonstrate that they will, in order of preference and in accordance with legal requirements:</p> <ol style="list-style-type: none"> avoid, minimise, or mitigate significant adverse impacts on species adaptation or migration, or on natural native habitat connectivity. 	Yes	<p>The proposed project is for maintenance dredging and does not incorporate features to enhance or facilitate species adaptation or migration, or natural native habitat connectivity.</p> <p>An assessment of the potential for the proposed maintenance dredging to impact habitats and species was carried out and is described in the Natura Impact Statement (NIS) that accompanied the Foreshore Licence application (the application). No significant adverse impacts were identified. The NIS concluded that there will be no likely significant effects as a result of the proposed dredging operations of the navigation channel at Soldier's Point and buoy 15 on the 'Qualifying Interests' or the 'Conservation Objectives' of the local Natura 2000 sites. The Screening for Appropriate Assessment (Hartley Anderson, 2022) concluded that likely significant effects on the Special Areas of Conservation and Special Protection Areas could be discounted.</p>

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
Biodiversity Policy 2	Proposals that protect, maintain, restore and enhance the distribution and net extent of important habitats and distribution of important species will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals must avoid significant reduction in the distribution and net extent of important habitats and other habitats that important species depend on, including avoidance of activity that may result in disturbance or displacement of habitats.	Yes	<p>The proposed maintenance dredging is not a proposal which specifically aims to protect, maintain, restore and enhance the distribution and net extent of important habitats and distribution of important species.</p> <p>An assessment of the potential for the proposed maintenance dredging to impact habitats and species was carried out and is described in the NIS that accompanied the application. No significant adverse impacts on habitats and species were identified. The NIS concluded that there will be no likely significant effects as a result of the proposed dredging operations of the navigation channel at Soldier's Point and buoy 15 on the 'Qualifying Interests' or the 'Conservation Objectives' of the local Natura 2000 sites. It is noted that the Marine Institute agreed with the conclusions of the NIS.</p> <p>The Screening for Appropriate Assessment (Hartley Anderson, 2022) concluded that likely significant effects on the Special Areas of Conservation and Special Protection Areas could be discounted.</p>
Biodiversity Policy 3	<p>Where marine or coastal natural capital assets are recognised by Government:</p> <ul style="list-style-type: none"> Proposals must seek to enhance marine or coastal natural capital assets where possible. Proposals must demonstrate that they will in order of preference, and in accordance with legal requirements: <ul style="list-style-type: none"> a) avoid, b) minimise, or c) mitigate significant adverse impacts on marine or coastal natural capital assets, or d) if it is not possible to mitigate significant adverse impacts on marine or coastal natural capital assets proposals must set out the reasons for proceeding. 	no	<p>The NMPF explains that "<i>The concept of natural capital is fundamentally about natural assets, for example wetlands, rivers, coastal habitats, woodlands and forests.</i>" Neither the marine nor the coastal natural capital assets in the vicinity of the maintenance dredging project have been recognised by Government.</p> <p>An assessment of the potential for the proposed maintenance dredging to impact habitats and species was carried out and is described in NIS that accompanied the application. No significant adverse impacts on habitats and species were identified.</p> <p>The Maintenance Dredging Foreshore Application Supporting Information report (Supporting Information report), in Section 5.2, addressed the impact on coastal processes and the coastal cell system.</p>

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
			It concluded that there is not a concern about the removal of sediment from the coastal cell system as (a) the amount of sand being removed is so small as not to be significant, (b) it is a dynamic system with sediment moving of the about all the time.
Biodiversity Policy 4	Proposals must demonstrate that they will, in order of preference and in accordance with legal requirements: a) avoid, b) minimise, or c) mitigate significant disturbance to, or displacement of, highly mobile species.	Yes	An assessment of the potential for the proposed maintenance dredging to impact habitats and species, including relevant highly mobile species, was carried out and is described in the NIS that accompanied the application. No significant adverse impacts on habitats and species were identified. The Annex IV species risk assessment determined that the proposed dredging works will not give rise to significant impacts to species listed under Annex IV of the Habitats Directive.
Protected Marine Sites			
Protected Marine Sites Policy 1	Proposals must demonstrate that they can be implemented without adverse effects on the integrity of Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). Where adverse effects from proposals remain following mitigation, in line with Habitats Directive Article 6(3), consent for the proposals cannot be granted unless the prerequisites set by Article 6(4) are met.	Yes	An NIS accompanied the application. The NIS concluded that there will be no likely significant effects as a result of the proposed dredging operations of the navigation channel at Soldier's Point and buoy 15 on the 'Qualifying Interests' or the 'Conservation Objectives' of the local Natura 2000 sites. It is noted that the Marine Institute agreed with the conclusions of the NIS. The Screening for Appropriate Assessment (Hartley Anderson, 2022) concluded that likely significant effects on the Special Areas of Conservation and Special Protection Areas could be discounted.
Protected Marine Sites Policy 2	Proposals supporting the objectives of protected marine sites should be supported and: • be informed by appropriate guidance • must demonstrate that they are in accordance with legal requirements, including statutory advice provided by authorities relevant to protected marine sites	No	There are no marine protected sites in the vicinity of the project. There are marine Natura 2000 sites in the Irish Sea.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
Protected Marine Sites Policy 3	Proposals that enhance a protected marine site's ability to adapt to climate change, enhancing the resilience of the protected site, should be supported and: <ul style="list-style-type: none"> • be informed by appropriate guidance • must demonstrate that they are in accordance with legal requirements, including statutory advice provided by authorities relevant to protected marine sites. 	No	The proposed maintenance dredging will not result in the enhancement of any protected marine site's ability to adapt to climate change or the enhancement of the resilience of the protected site.
Protected Marine Sites Policy 4	Until the ecological coherence of the network of protected marine sites is examined and understood, proposals should identify, by review of best available evidence (including consultation with the competent authority with responsibility for designating such areas as required), the features, under consideration at the time the application is made, that may be required to develop and further establish the network. Based upon identified features that may be required to develop and further establish the network, proposals should demonstrate that they will, in order of preference, and in accordance with legal requirements: <ol style="list-style-type: none"> a) avoid, b) minimise, or c) mitigate significant impacts on features that may be required to develop and further establish the network, or d) if it is not possible to mitigate significant impacts, proposals should set out the reasons for proceeding. 	Yes	There is not a network of marine protected sites in the vicinity of the project. There are marine Natura 2000 sites in the Irish Sea. An NIS accompanied the application. The NIS concluded that there will be no likely significant effects as a result of the proposed dredging operations of the navigation channel at Soldier's Point and buoy 15 on the 'Qualifying Interests' or the 'Conservation Objectives' of the local Natura 2000 sites. It is noted that the Marine Institute agreed with the conclusions of the NIS. The Screening for Appropriate Assessment (Hartley Anderson, 2022) concluded that likely significant effects on the Special Areas of Conservation and Special Protection Areas could be discounted.
Non-Indigenous Species			
Non-Indigenous Species Policy 1	Reducing the risk of the introduction and / or spread of non-indigenous species is a requirement of all proposals. Proposals must demonstrate a risk management approach to prevent the introduction of and / or spread of non-indigenous species, particularly when: <ol style="list-style-type: none"> a) moving equipment, boats or livestock (for example fish or shellfish) from one water body to another, b) introducing structures suitable for settlement of non-indigenous species, or the spread of non-indigenous species known to exist in the area of the proposal. 	Yes	Vessels in Irish waters must comply with the International Convention for the Control and Management of Ship's Ballast Water and Sediments and must hold the relevant certificate of compliance in this regard. This compliance covers the measures for the control and management of the vessel's biofouling to minimise the transfer of invasive aquatic species.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
			A licence condition has been proposed that an Invasive Aquatic Species Management Plan be prepared and implemented to reduce the risk that the maintenance dredging would introduce and or spread non-indigenous species.
Water Quality			
Water Quality Policy 1	Proposals that may have significant adverse impacts upon water quality, including upon habitats and species beneficial to water quality, must demonstrate that they will, in order of preference and in accordance with legal requirements: a) avoid, b) minimise, or c) mitigate significant adverse impacts	Yes	The potential for the maintenance dredging project to have an impact on water quality was addressed in the application and mitigation measures were proposed. These measures will ensure that significant adverse impacts on water quality will be avoided.
Water Quality Policy 2	Proposals delivering improvements to water quality, or enhancing habitats and species, which can be of benefit to water quality, should be supported.	No	The application is not for a proposal that delivers improvements to water quality or enhances habitats and species.
Sea Floor and Water Column Integrity			
Sea Floor and Water Column Integrity Policy 1	Proposals that incorporate measures to support the resilience of marine habitats will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority and where they contribute to the policies and objectives of this NMPF. Proposals which may have significant adverse impacts on marine, particularly deep sea, habitats must demonstrate that they will, in order of preference and in accordance with legal requirements: a) avoid, b) minimise, or c) mitigate significant adverse impacts on marine habitats, or d) if it is not possible to mitigate significant adverse impacts on marine habitats must set out the reasons for proceeding.	Yes	The application is not for a proposal that incorporates measures to support the resilience of marine habitats. An assessment of the potential for the proposed maintenance dredging to impact habitats and species, including marine habitats, was carried out and is described in the NIS that accompanied the application. No significant adverse impacts on habitats and species were identified.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
Sea Floor and Water Column Integrity Policy 2	<p>Proposals, including those that increase access to the maritime area, must demonstrate that they will, in order of preference and in accordance with legal requirements:</p> <ul style="list-style-type: none"> a) avoid, b) minimise, or c) mitigate adverse impacts on important habitats and species. 	Yes	<p>The maintenance dredging will increase access to the maritime area.</p> <p>An assessment of the potential for the proposed maintenance dredging to impact habitats and species, including marine habitats, was carried out and is described in the NIS that accompanied the application. No significant adverse impacts on habitats and species were identified.</p> <p>The NIS concluded that there will be no likely significant effects as a result of the proposed dredging operations of the navigation channel at Soldier's Point and buoy 15 on the 'Qualifying Interests' or the 'Conservation Objectives' of the local Natura 2000 sites. It is noted that the Marine Institute agreed with the conclusions of the NIS.</p> <p>The Screening for Appropriate Assessment (Hartley Anderson, 2022) concluded that likely significant effects on the Special Areas of Conservation and Special Protection Areas could be discounted.</p>
Sea Floor and Water Column Integrity Policy 3	<p>Proposals that protect, maintain, restore and enhance coastal habitats for ecosystem functioning and provision of ecosystem services will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals must take account of the space required for coastal habitats, for ecosystem functioning and provision of ecosystem services, and demonstrate that they will, in order of preference and in accordance with legal requirements:</p> <ul style="list-style-type: none"> a) avoid, b) minimise, or c) mitigate for net loss of coastal habitat. 	Yes	<p>The application is not for a proposal which protects, maintains, restores or enhances coastal habitats for ecosystem functioning nor does it provide ecosystem services.</p> <p>The maintenance dredging will disturb the estuaries habitat of the Dundalk Bay SAC. Post-dredging, further bed sediments will remain, and the total area of estuary habitat will not have decreased. Disturbance will be confined to limited sections of the navigational channel only, totaling 8.72ha or 0.167% of the SAC (5,234ha).</p> <p>Changes to the benthic fauna community within the dredge area are inevitable but these communities should begin to re-establish after the cessation of works as fauna from adjoining, undisturbed areas repopulate the dredge area.</p>

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
			The impact is expected to be short term minor to de minimis. There will be no net loss of other coastal habitats.
Marine Litter			
Marine Litter Policy 1	<p>Proposals that facilitate waste re-use or recycling, or that reduce marine and coastal litter will be supported, where they contribute to the policies and objectives of this NMPF. Proposals that could potentially increase the amount of litter that is discharged into the maritime area, either intentionally or accidentally, must include measures (such as development of a waste management plan) to, in order of preference and in accordance with legal requirements:</p> <ol style="list-style-type: none"> avoid, minimise, or mitigate the litter. <p>Demonstration of these measures must provide satisfactory evidence that the proposal is able to manage all waste without creation of litter.</p>	Yes	<p>The application is not for a proposal which will facilitate waste reuse or recycling, or which will reduce marine and coastal litter.</p> <p>The dredge spoil will be taken ashore for reuse. The mitigation measures include:</p> <ul style="list-style-type: none"> No ancillary waste will be deposited into the sea from the dredger at any time, Bilge water and wastewater from the dredger will be brought onshore for proper removal and disposal by a licensed waste contractor. Contractors working on site during the operation will be responsible for the collection, control and disposal of all wastes generated by the works. These measures will ensure that all waste will be managed without the creation of litter.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
Underwater Noise			
Underwater Noise Policy 1	<p>Proposals must take account of spatial distribution, temporal extent, and levels of impulsive and / or continuous sound (underwater noise) that may be generated and the potential for significant adverse impacts on marine fauna.</p> <p>Where the potential for significant impact on marine fauna from underwater noise is identified, a Noise Assessment Statement must be prepared by the proposer of development. The findings of the Noise Assessment Statement should demonstrably inform determination(s) related to the activity proposed and the carrying out of the activity itself.</p> <p>The content of the Noise Assessment Statement should be relevant to the particular circumstances and must include:</p> <ul style="list-style-type: none"> • Demonstration of compliance with applicable legal requirements, such as necessary assessment of proposals likely to have underwater noise implications, including but not limited to: <ul style="list-style-type: none"> » Appropriate Assessment (AA); » Environmental Impact Assessment (EIA); » Strategic Environmental Assessment (SEA); » Specific response to 'strict protection' requirements of Article 12 of the Habitats Directive in relation to certain species listed in Annex IV of the Directive; and » Species protected under the Wildlife Acts. • An assessment of the potential impact of the development or use on the affected species in terms of environmental sustainability; • Demonstration that significant adverse impacts on marine fauna resulting from underwater noise will, in order of preference and in accordance with legal requirements be: <ol style="list-style-type: none"> a) avoided, b) minimised, or c) mitigated, or d) if it is not possible to mitigate significant adverse impacts on marine fauna, the reasons for proceeding must be set out. <p>This policy should be included as part of statutory environmental assessments where such assessments require consideration of underwater noise.</p>	Yes	<p>The impacts of the maintenance dredging on marine fauna were assessed in the Screening for Appropriate Assessment (Hartley Anderson, 2022) and the Article 12 Risk Assessment.</p> <p>It is noted that Marine Institute, Inland Fisheries Ireland and the National Parks and Wildlife Service, in their observations, did not raise any concerns about a likely impact on marine fauna from underwater noise from the project.</p> <p>The Annex IV species risk assessment concluded that the proposed dredging works will not give rise to significant impacts to species listed under Annex IV of the Habitats Directive.</p>

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
Air Quality			
Air Quality Policy 1	Proposals that support a reduction in air pollution should be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals must demonstrate consideration of their contribution to air pollution, both direct and cumulative.	Yes	The maintenance dredging is not a proposal that supports a reduction in air pollution. It is noted that Marine Institute and the National Parks and Wildlife Service, in their observations did not raise any concerns about air pollution. It is a legal requirement that the dredger complies with the International Convention for the Prevention of Pollution from Ships (MARPOL), which controls emissions to air from shipping. Compliance with this condition will minimise air pollution.
Air Quality Policy 2	Where proposals are likely to result in or facilitate an increase in air pollution, proposals should demonstrate that they will, in order of preference in accordance with legal requirements and standards: a) avoid, b) minimise, or c) mitigate air pollution.	Yes	A significant increase in air pollution is not likely to occur during the proposed maintenance dredging, and no specific mitigation measures were proposed. It is a legal requirement that the dredger complies with MARPOL, which controls emissions to air from shipping. Compliance with this condition will minimise air pollution.
Climate Change			
Climate Change Policy 1	Proposals should demonstrate how they: <ul style="list-style-type: none"> • avoid contribution to adverse changes to physical features of the coast; • enhance, restore or recreate habitats that provide a flood defence or carbon sequestration ecosystem services where possible. Where potential significant adverse impacts upon habitats that provide a flood defence or carbon sequestration ecosystem services are identified, these must be in order of preference and in accordance with legal requirements: a) avoided, b) minimised, c) mitigated, d) if it is not possible to mitigate significant adverse impacts, the reasons for proceeding must be set out.	Yes	The Supporting Information report, Section 5.2 addressed the impact on coastal processes and the coastal cell system. It concluded that there is not a concern about the removal of sediment from the coastal cell system as (a) the amount of sand being removed is so small as not to be significant, (b) it is a dynamic system with sediment moving of the about all the time. It is not possible for the maintenance dredging to enhance, restore or recreate habitats that provide a flood defence or carbon sequestration ecosystem services. No potential significant adverse impacts on habitats that provide a flood defence or carbon sequestration ecosystem services were identified.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
	This policy should be included as part of statutory environmental assessments where such assessments are required.		
Climate Change Policy 2	<p>For the lifetime of the proposal, the following climate change matters must be demonstrated:</p> <ul style="list-style-type: none"> • estimation of likely generation of greenhouse gas emissions, both direct and indirect; • measures to support reductions in greenhouse gas emissions where possible; • likely impact of climate change effects upon the proposal from factors including but not limited to: sea level rise, ocean acidification, changing weather patterns; • measures incorporated to enable adaptation climate change effects; • likely impact upon climate change adaptation measures adopted in the coastal area relevant to the proposal and/or adaptation measures adopted by adjacent activities; • where likely impact upon climate change adaptation measures in the coastal area relevant to the proposal and/or adaptation measures adopted by adjacent activities is identified, these impacts must be in order of preference and in accordance with legal requirements: <ol style="list-style-type: none"> a) avoided, b) minimised, c) mitigated, d) if it is not possible to mitigate significant adverse impacts, the reasons for proceeding must be set out. 	Yes	<p>The maintenance dredging is not likely to have a negative effect on climate change. It is a legal requirement that the dredger complies with MARPOL, which controls emissions to air from shipping. Compliance with MARPOL will minimise the emission of greenhouse gases during the dredging.</p> <p>The licence is for 10 years. The possible effect of climate change is that changing weather patterns would result in maintenance dredging being required more often or that a volume of material greater than 5,000m³ per annum would have to be dredged. In either case, the climate change adaption measure would be to make a licence application to increase the maintenance dredging frequency or quantity.</p> <p>No impact on the climate change adaption of the adjacent coastal area is likely.</p>
Economic			
Co-existence			
Co-existence Policy 1	<p>Proposals should demonstrate that they have considered how to optimise the use of space, including through consideration of opportunities for co-existence and co-operation with other activities, enhancing other activities where appropriate.</p> <p>If proposals cannot avoid significant adverse impacts (including displacement) on other activities they must, in order of preference:</p> <ol style="list-style-type: none"> a) minimise significant adverse impacts, b) mitigate significant adverse impacts, or 	Yes	<p>A mitigation measure proposed for the dredging operation is that the dredger will operate by going along the area to be dredged in an east-west direction in straight lines. By moving along the seabed in this way, other vessels will be able to pass the dredger while it is working and enter or exit Dundalk Port unimpeded. In this way, navigation in the channel will not be interfered with during the dredging operations.</p>

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
	c) if it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding.		Once complete, the maintenance dredging will facilitate the increased use of the navigation channel for shipping and other vessels.
Infrastructure			
Infrastructure Policy 1	Appropriate land-based infrastructure which facilitates marine activity (and vice versa) should be supported. Proposals for appropriate infrastructure that facilitates the diversification or regeneration of marine industries should be supported.	Yes	Once complete, the maintenance dredging will facilitate the increased use of the navigation channel for shipping and other vessels which will increase the use of the existing Dundalk Port land-based infrastructure.
Social-Engagement with the Sea			
Access			
Access Policy 1	Proposals, including in relation to tourism and recreation, should demonstrate that they will, in order of preference: a) avoid, b) minimise, or c) mitigate significant adverse impacts on public access.	Yes	Once complete, the maintenance dredging will facilitate the increased use of the navigation channel for shipping and other vessels, including recreational fishing and marine leisure vessels.
Access Policy 2	Proposals demonstrating appropriate enhanced and inclusive public access to and within the maritime area, and that consider the future provision of services for tourism and recreation activities, should be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF.	Yes	Once complete, the maintenance dredging will facilitate the increased use of the navigation channel for shipping and other vessels, thus enhancing public access and use of Dundalk Port.
Employment			
Employment Policy 1	Proposals should demonstrate contribution to a net increase in marine related employment in Ireland, particularly where the proposals are • in line with the skills available in Irish coastal communities adjacent to the maritime area, • improve the sustainable use of natural resources, • diversify skills to enable employment in emerging industries.	Yes	Approximately 45 ships visit Dundalk Port annually. If the navigation channel is dredged at the locations proposed, this will provide access to the Port over a wider range of the tidal cycle. This would increase the number of ships which can access the Port, bringing more business to the Port and safeguard the existing trade. This will be a permanent significant positive effect on economic activity and employment in the Port and surrounding area.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
Heritage Assets			
Heritage Assets Policy 1	<p>Proposals that demonstrate they will contribute to enhancing the significance of heritage assets will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals unable to contribute to enhancing the significance of heritage assets will only be supported if they demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid, b) minimise, or c) mitigate harm to the significance of heritage assets, and d) if it is not possible, to mitigate harm, then the public benefits for proceeding with the proposal must outweigh the harm to the significance of the heritage assets. (see definition of ‘Public Benefits’ in the Glossary) 	Yes	<p>The maintenance dredging is not a proposal that will contribute to enhancing the significance of heritage assets. It is not envisaged that there will be an impact on known marine archaeology or cultural heritage features because of the proposed maintenance dredging. The position of two recorded wrecks in Dundalk Bay will be noted by the dredger’s crew. If any material of archaeological potential is encountered during the dredging works, the Underwater Archaeology Unit, National Monuments Service, of the Department of Housing Local Government and Heritage will be notified immediately and works will cease in the area in question until the Underwater Archaeology Unit has recommended a course of action.</p> <p>It is noted that the Underwater Archaeology Unit made no observation on the proposal.</p>
Rural Coastal and Island Communities			
Rural Coastal and Island Communities Policy 1	<p>Proposals contributing to access, communications, energy self-sufficiency or sustainability of rural coastal and / or island communities should be supported. Proposals should ideally be inclusive of continual education, skills development and training in marine sectors, thus improving the sustainability, social benefits and economic resilience of rural and island communities.</p>	Yes	<p>Once complete, the maintenance dredging will facilitate the increased use of the navigation channel for shipping and other vessels, thus contributing to access, sustainability and the economic resilience of the rural coastal community of Dundalk Bay.</p>
Seascape and Landscape			
Seascape and Landscape Policy 1	<p>Proposals should demonstrate how the likely significant impacts of a development on the seascape and landscape of an area have been considered. Proposals will only be supported if they demonstrate that they, in order of preference:</p> <ul style="list-style-type: none"> a) avoid, b) minimise, or c) mitigate significant adverse impacts on the seascape and landscape of the area. d) If it is not possible to mitigate significant adverse impacts, proposals must set out the reasons for proceeding. 	Yes	<p>The maintenance dredging will occur for a short period each year. It is not likely to have an adverse impact on the seascape and landscape of the Dundalk Bay area.</p>

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
	This policy should be included as part of statutory environmental assessments.		
Social Benefits			
Social Benefits Policy 1	Proposals that enhance or promote social benefits should be supported. Proposals unable to enhance or promote social benefits should demonstrate that they will, in order of preference: a) minimise, or b) mitigate significant adverse impacts which result in the displacement of other existing or authorised (but yet to be implemented) activities that generate social benefits.	Yes	Once complete, the maintenance dredging will facilitate the increased use of the navigation channel for shipping and other vessels, thus contributing to the sustainability and economic resilience of the rural coastal community of Dundalk Bay. No existing activities will be displaced.
Social Benefits Policy 2	Proposals that increase the understanding and enjoyment of the marine environment (including its natural, historic and social value), or that promote conservation management and increased education and skills, should be supported.	No	The maintenance dredging will not affect the understanding and enjoyment of the marine environment (including its natural, historic and social value), or that promote conservation management and increased education and skills.
Transboundary			
Transboundary Policy 1	Proposals that have transboundary impacts beyond the maritime area, on either the terrestrial environment or neighbouring international jurisdictions, must show evidence of consultation with the relevant public authorities, including terrestrial planning authorities and other country authorities. Proposals should consider transboundary impacts throughout the lifetime of the proposed activity.	No	The maintenance dredging will be undertaken on the foreshore in Irish Waters. There is no potential for transboundary impacts beyond the maritime area.
Aquaculture			
Aquaculture Policy 1	Proposals for sustainable development of aquaculture that: • demonstrate use of innovative approaches, and / or • contribute to diversification of species being grown in a given locality, particularly proposals applying a multi-trophic approach, and / or • enhances resilience to the effects of climate change should be supported.	No	The maintenance dredging is not a proposal for the sustainable development of aquaculture.
Aquaculture Policy 2	Non-aquaculture proposals in aquaculture production areas must demonstrate consideration of, and compatibility with, aquaculture production. Where compatibility is not possible, proposals must demonstrate that they will, in order of preference:	No	The Marine Institute stated that there are no licensed aquaculture sites within the proposed areas to be dredged.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
	a) avoid; b) minimise; c) mitigate significant adverse impacts on aquaculture. d) If it is not possible to mitigate significant adverse impacts upon aquaculture, proposals should set out the reasons for proceeding.		Carlingford Lough to the north has a number of licensed sites both in the Republic and in Northern Ireland waters. The proposed dredge area is remote from any licensed site, with the closest being 1.5km in distance. The maintenance dredging is not likely to have a negative effect on aquaculture production.
Aquaculture Policy 3	Land-based coastal infrastructure that is critical to and supports development of aquaculture should be supported, in accordance with any legal requirements and provided environmental safeguards contained within authorisation processes are fully met.	No	The maintenance dredging is not a proposal for land-based coastal infrastructure.
Defence and Security			
Defence and Security - Policy 1	Any proposal that has the potential to interfere with the performance by the Defence Forces of their security and non-security related tasks must be subject to consultation with the Defence Organisation. This includes potential interference with: <ul style="list-style-type: none"> • Safety of navigation and access to naval facilities; • Firing, test or exercise areas; • Communication, and surveillance systems; • Fishery protection functions. Proposals should only be supported where, having consulted with the Defence Organisation, they are satisfied that it will not result in unacceptable interference with the performance by the Defence Forces of their security and non-security related tasks. Any proposal will be subject to the relevant Environmental Assessments, as set out in the introduction to this NMPF.	Yes	No significant negative impacts on defence and national security are likely to occur because of the proposed maintenance dredging. Once complete, the maintenance dredging will facilitate the increased use of the navigation channel to Dundalk Port for shipping, including by Defence Forces vessels.
Natural Gas Storage			
Natural Gas Storage Policy 1	Subject to assessments required for the protection of the environment, and only where in keeping with the outcome of the review of the security of energy supply of Ireland's electricity and natural gas systems (which is being carried out by Department of the Environment, Climate and Communications), natural gas storage proposals should be supported.	No	The maintenance dredging is not a proposal relating to natural gas storage and there are no nearby gas storage proposals.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
Offshore Renewable Energy (ORE)			
ORE Policy 1	Proposals that assist the State in meeting the Government's offshore renewable energy targets, including the target of achieving 5GW of capacity in offshore wind by 2030 and proposals that maximise the long-term shift from use of fossil fuels to renewable electricity energy, in line with decarbonisation targets, should be supported. All proposals will be rigorously assessed to ensure compliance with environmental standards and seek to minimise impacts on the marine environment, marine ecology and other maritime users.	Yes	Once complete, the maintenance dredging will facilitate the increased use of the navigation channel to Dundalk Port for shipping. This has the potential to facilitate the development of offshore renewable energy (ORE) projects in the Northern Irish Sea.
ORE Policy 2	Proposals must be consistent with national policy, including the Offshore Renewable Energy Development Plan (OREDPA) and its successor. Relevant Projects designated pursuant to the Transition Protocol and those projects that can objectively enable delivery on the Government's 2030 targets will be prioritised for assessment under the new consenting regime. Into the future, areas designated for offshore energy development, under the Designated Marine Area Plan process set out in the Maritime Area Planning Bill, will underpin a plan-led approach to consenting (or development of our marine resources) (Note – see Appendix D on Spatial Designation Process).	No	The maintenance dredging is not an ORE project.
ORE Policy 3	Any non-ORE proposals that are in or could affect sites held under a permission or that are subject to an ongoing permitting or consenting process for renewable energy generation (wind, wave or tidal should demonstrate that they will in order of preference: a) avoid, b) minimise, c) mitigate adverse impacts, or d) if it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding. Applicants for non-ORE proposals in or affecting ORE sites should engage ORE developers in consultation during the pre-application processes as appropriate.	Yes	Once complete, the maintenance dredging will facilitate the increased use of the navigation channel to Dundalk Port for shipping. This will facilitate the development of ORE projects in the Northern Irish Sea. This will be a potential positive effect on sites held under a permission or that are subject to an ongoing permitting or consenting process for renewable energy generation.
ORE Policy 4	Decisions on ORE developments should be informed by consideration of space required for other activities of national importance described in the NMPF.	No	This policy relates to the decision-making process for ORE developments.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
ORE Policy 5	Proposals for activity that may adversely impact ORE test projects by virtue of being within or adjacent to ORE test sites, or between site and landfall of ORE test projects that may adversely impact ORE test site projects, should demonstrate that they will in order of preference: a) avoid, b) minimise, c) mitigate adverse impacts.	Yes	No ORE test projects are proposed for the application area. Once complete, the maintenance dredging will facilitate the increased use of the navigation channel to Dundalk Port for shipping. This would facilitate the development of an ORE test project in the Northern Irish Sea.
ORE Policy 6	Proposals for infrastructure enabling local use of excess energy generated from emerging marine technologies (wave, tidal, floating wind) should be supported.	No	The maintenance dredging is not a proposal to use excess energy generated from emerging marine technologies (wave, tidal, floating wind).
ORE Policy 7	Where potential for ports to contribute to ORE is identified, plans and policies related to this port must encourage development in such a way as to facilitate ORE and related supply chain activity.	Yes	Once complete, the maintenance dredging will facilitate the increased use of the navigation channel to Dundalk Port for shipping. This will facilitate the development of an offshore renewable energy in the Northern Irish Sea.
ORE Policy 8	Proposals for ORE must demonstrate consideration of existing cables passing through or adjacent to areas for development, making sure ability to repair and carry out cable-related remedial work is not significantly compromised. This consideration should be included as part of statutory environmental assessments where such assessments are required.	No	No existing cables pass through the area to be dredged.
ORE Policy 9	A permission for ORE must be informed by inclusion of a visualisation assessment that supports conditions on any development in relation to design and layout. Where a development consent is applied for in an area already subject to permission, proposals must include a visualisation assessment to inform design and layout. Visualisation assessments should demonstrate consultation with communities that may be able to view the proposal, in addition to any other ORE development, which had received consent to proceed at a given site at the time the consent application is made, with the aim of minimising impact. Visualisation assessments will be informed by specific emerging guidelines (detailed in the actions set out in Annexes to this NMPF). Prior to specific guidelines being available, policy and best practice relating to visualisation assessment should be used. This consideration must be included as part of statutory environmental assessments where such assessment is required.	No	The maintenance dredging is not an ORE proposal.
ORE Policy 10	Opportunities for land-based, coastal infrastructure that is critical to and supports development of ORE should be prioritised in plans and policies, where possible.	No	The maintenance dredging is not related to a plan or policy.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
ORE Policy 11	Where appropriate, proposals that enable the provision of emerging renewable energy technologies and associated supply chains will be supported.	No	The maintenance dredging is not a proposal for emerging renewable energy technologies and associated supply chains.
Petroleum			
Petroleum Policy 1	Proposals in areas where petroleum activities or petroleum production infrastructure have already been approved, or where applications consistent with the Government's prohibition on new exploration activity are under consideration, should only be authorised where compatibility with the existing, authorised or proposed activity can be satisfactorily demonstrated or the proposal is clearly of strategic or national importance. Compatibility should be achieved, in order of preference, through: a) avoiding, or b) minimising, or c) mitigating adverse impacts. d) If it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding.	No	The maintenance dredging will not occur in areas where petroleum activities or productions infrastructure have already been approved or where applications consistent with the Governments prohibition on new exploration activity are under consultation.
Petroleum Policy 2	Proposals potentially affecting future potential activity in areas (blocks) subject to existing petroleum authorisations should avoid sterilisation of that area for future petroleum-related activity consistent with Government policy, and demonstrate how they, in order of preference: a) avoid, or b) minimise, or c) mitigate potential adverse impacts on those activities. d) If it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding.	No	The maintenance dredging will not occur in areas (blocks) subject to existing petroleum authorisations.
Transmission			
Transmission Policy 1	Subject to the appropriate environmental assessments, electricity transmission proposals that maintain or improve the security and diversity of Ireland's energy supply should be supported, including interconnectors, relevant EU Projects of Common Interest (PCIs), and projects in receipt of relevant alternative EU priority energy infrastructure classification provided for by the EU TEN-E regulations.	No	The maintenance dredging does not relate to an electricity transmission proposal.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
	This should include development of the offshore transmission system and connection with the onshore transmission system necessary to meet the Government's target of 5 GW of offshore renewables by 2030, as well as development of associated transmission system / interconnector infrastructure for hybrid offshore projects, connecting offshore renewable energy installations with Ireland and one or more other electricity transmission systems.		
Transmission Policy 2	Proposals for activities that are in or could affect energy transmission proposals in sites held under a permission or that are subject to an ongoing permitting or consenting process for energy transmission proposals should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate adverse impacts, or d) if it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding.	No	The maintenance dredging will not occur in an area which is currently subject to any permitting or consenting process for energy transmission proposals.
Transmission Policy 3	Decisions on transmission developments should be informed by consideration of space required for other activities of national importance described in the NMPF.	No	This policy relates to the decision-making process for transmission developments.
Transmission Policy 4	Where possible, opportunities for land-based, coastal infrastructure that is critical to and supports energy transmission should be prioritised in plans and policies. Designation of land-based zones for the purposes of co-ordination and integration with relevant Marine Plans must be considered, where appropriate.	No	The maintenance dredging is not related to a plan or policy.
Transmission Policy 5	Proposals for construction or operation activities within one nautical mile of either of the two existing natural gas interconnector pipelines shall be avoided. If construction or operation activities are proposed to take place within one nautical mile of either of the two existing natural gas interconnector pipelines, the views of Gas Networks Ireland in relation to how such activities could impact the pipelines shall be taken into account and either appropriate mitigation measures put in place or the proposed activities altered.	No	The maintenance dredging is not within one nautical mile of either of the two existing natural gas interconnector pipelines.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
	If construction or operation activities involve the crossing of either of the two existing natural gas interconnector pipelines by other pipelines or cables, the views of Gas Networks Ireland in relation to how such activities could impact the pipelines shall be taken into account and either appropriate mitigation measures be put in place or the proposed activities altered.		
Transmission Policy 6	Subject to required assessments for the protection of the environment, and only where in keeping with the outcome of the review of the security of energy supply of Ireland's electricity and natural gas systems (which is being carried out by Department of the Environment, Climate and Communications), and not involving the importation of fracked gas, additional proposals for natural gas transmission/ import infrastructure should be supported.	No	The maintenance dredging does not relate to a proposal for natural gas transmission/import infrastructure.
Fisheries			
Fisheries Policy 1	Proposals that may have significant adverse impacts on access for existing fishing activities, must demonstrate that they will, in order of preference: a) avoid, b) minimise, or c) mitigate such impacts. d) If it is not possible to mitigate significant adverse impacts on fishing activity, the public benefits for proceeding with the proposal that outweigh the significant adverse impacts on existing fishing activity must be demonstrated.	Yes	There are two bivalve fisheries in Dundalk Bay. Static gear fishing is undertaken for crustaceans adjacent to the areas to be dredged. All static gear will have to be removed from the proposed areas and dredging for razor clams may be restricted while the dredger is operating. Mitigation measures have been proposed to mitigate the impact on existing fishing activities. The Marine Institute, in its observation on the application, stated that, given the confined nature of the dredging activity, it is unlikely to impact on commercial fishing and the fish resources. Once completed, the proposed channel maintenance dredging will give the fishermen greater flexibility for accessing their fishing grounds as they will not be restricted to entering and exiting the Harbour at or close to high tide. The dredging will provide access to the port over a wider range of the tidal cycle. This will be a permanent significant positive effect.
Fisheries Policy 2	Where significant impact upon fishing activity arising from any proposal is identified, a Fisheries Management and Mitigation Strategy (FMMS) should be prepared by the proposer of development or other maritime area use, in consultation with local fishing interests and other interests as appropriate.	No	A significant adverse impact on fishing activity is not likely. The Marine Institute, in its observation on the application, stated that, given the confined nature of the

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
	<p>All efforts should be made to agree the FMMS with those interests. Those interests should also undertake to engage with the proposer and provide best available, transparent and accurate information and data in a timely manner to help complete the FMMS. The FMMS should be drawn up as part of readying a proposal prior to submission, with measures identified to be considered in finalising conditions of any authorisations granted. Development of the strategy should be coordinated with other relevant assessments such as EIA where possible. The content of the Fisheries Management and Mitigation Strategy (FMMS) should be relevant to the particular circumstances and could include:</p> <ul style="list-style-type: none"> • An assessment of the potential impact of all stages of the development or other suggested use on the affected fishery or fisheries, both in socio-economic terms and in relation to environmental sustainability. This assessment should include consideration of any impact upon cultural identity within fishing communities, as well as identifying indirect / in-combination matters. • A recognition that the disruption to existing fishing opportunities / activity should be minimised as far as possible. • Demonstration of the public benefit(s) that outweigh the significant impacts identified. • Reasonable measures to mitigate any constraints which the proposed development or use may place on existing or proposed fishing activity. • Reasonable measures to mitigate any potential impacts on sustainability of fish stocks (e.g. impacts on spawning grounds or areas of fish or shellfish abundance) and any socio-economic impacts. <p>Where it does not prove possible to agree the FMMS with all interests:</p> <ul style="list-style-type: none"> • Divergent views and the reasons for any divergence of views between the parties should be fully explained in the FMMS, and dissenting views should be given a platform within the said FMMS to make their case. • Where divergent views are identified, relevant public authorities should be engaged to identify informal and formal steps designed to enable proposal(s) to progress. 		<p>dredging activity, it is unlikely to impact on commercial fishing and the fish resources.</p>

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
Fisheries Policy 3	Proposals that enhance the sustainability of fisheries or support a sustainable fishing industry, including the industry's diversification and or enhanced resilience to the effects of climate change, should be supported provided they fully meet the environmental safeguards contained within authorisation processes.	Yes	Once completed, the proposed channel maintenance dredging will give the fishermen greater flexibility for accessing their fishing grounds as they will not be restricted to entering and exiting the Harbour at or close to high tide. The dredging will provide access to the port over a wider range of the tidal cycle.
Fisheries Policy 4	Infrastructural proposals that enable access to fishing activities should be supported provided they fully meet the environmental safeguards contained within authorisation processes.	Yes	Once completed, the proposed channel maintenance dredging will give the fishermen greater flexibility for accessing their fishing grounds as they will not be restricted to entering and exiting the Harbour at or close to high tide. The dredging will provide access to the port over a wider range of the tidal cycle.
Fisheries Policy 5	Proposals, regardless of the type of activity they relate to, enhancing essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes should be supported. If proposals cannot enhance essential fish habitat, they must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impact on essential fish habitat, including spawning, nursery and feeding grounds, and migration routes. d) If it is not possible to mitigate significant adverse impact on essential fish habitat, proposals must set out the reasons for proceeding.	Yes	The maintenance dredging will not enhance essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes. The maintenance dredging is not expected to have a negative impact on the fish resource.
Fisheries Policy 6	Ports and harbours should seek to engage with fishing and other relevant stakeholders at an early stage to discuss any changes in infrastructure that may affect them. Any port or harbour developments should take account of the needs of the dependent fishing fleets with a view to avoiding commercial harm where possible. Where a port or harbour has reached a minimum level of infrastructure required to support a viable fishing fleet, there should be a presumption in favour of maintaining this infrastructure, provided there is an ongoing requirement for it to remain in place and that it continues to be fit for purpose.	Yes	The mitigation measures proposed include liaison with representatives of the fishermen in Dundalk and Clogherhead to ensure that all static gear is removed from the proposed dredge areas. Dredging for razor clams may be restricted while the dredger is operating. Once completed, the proposed channel maintenance dredging will give the fishermen greater flexibility for accessing their fishing grounds as they will not be restricted to entering and exiting the Harbour at or close to high tide.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
Mineral Exploration and Mining			
Mineral Exploration and Mining Policy 1	Only proposals which are in line with national policy on mineral exploration and mining should be considered, provided they fully meet the environmental safeguards contained within the mineral exploration and mining consent processes.	No	The maintenance dredging does not relate to a proposal for mineral exploration or mining.
Ports, Harbours and Shipping			
Ports, Harbours and Shipping Policy 1	<p>To provide for shipping activity and freedom of navigation the following factors will be taken into account when reaching decisions regarding development and use:</p> <ul style="list-style-type: none"> • The extent to which the locational decision interferes with existing or planned routes used by shipping, access to ports and harbours and navigational safety. This includes commercial anchorages and approaches to ports as well as key littoral and offshore routes; • A mandatory Navigation Risk Assessment; • Where interference is likely: whether reasonable alternatives can be identified; and • Where there are no reasonable alternatives: whether mitigation through measures adopted in accordance with the principles and procedures established by the International Maritime Organisation can be achieved at no significant cost to the shipping or ports sector. 	Yes	<p>The Applicant will arrange for a local Marine Notice to be published to provide information to local maritime users on the dredging works.</p> <p>The dredger will operate by going along the area to be dredged in an east-west direction in straight lines. By moving along the seabed in this way, other vessels will be able to pass the dredger while it is working and enter or exit Dundalk Port unimpeded. In this way, navigation will not be interfered with during the dredging operations.</p> <p>Once completed, the proposed channel maintenance dredging will provide access for shipping to Dundalk Port over a wider range of the tidal cycle.</p>
Ports, Harbours and Shipping Policy 2	<p>Proposals that may have a significant impact upon current activity and future opportunity for expansion of port and harbour activities should demonstrate that they will, in order of preference:</p> <ol style="list-style-type: none"> a) avoid, b) minimise, or c) mitigate significant adverse impacts, and d) if it is not possible to mitigate significant adverse impacts on current activity and future opportunity for expansion of port and harbour activities, proposals should set out the reasons for proceeding. 	Yes	<p>With the implementation of the proposed mitigation measures, there is not expected to be any impact on vessels using the navigation channel to Dundalk Port, while dredging is underway.</p> <p>Once completed, the proposed channel maintenance dredging will have a significant positive impact on shipping accessing the Port.</p>
Ports, Harbours and Shipping Policy 3	Proposals that may have a significant impact upon current activity and future opportunity for expansion of port and harbour activities must demonstrate consideration of the National Ports Policy, the National Planning Framework, and relevant provisions related to the TEN-T network.	Yes	With the implementation of the proposed mitigation measures, there is not expected to be any impact on vessels using the navigation channel to Dundalk Port, while dredging is underway.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
			Once completed, the proposed channel maintenance dredging will have a significant positive impact on shipping accessing the Port.
Ports, Harbours and Shipping Policy 4	<p>Proposals within ports limits, beside or in the vicinity of ports, and / or that impact upon the main routes of significance to a port, must demonstrate within applications that they have:</p> <ul style="list-style-type: none"> • been informed by consultation at pre-application stage or earlier with the relevant port authority; • have carried out a navigational risk assessment including an analysis of maritime traffic in the area; and • have consulted Department of Transport, MSO and Commissioners of Irish Lights. Applicants must continue to engage parties identified in pre-application processes as appropriate during the decision-making process. 	Yes	<p>The maintenance dredging will be undertaken in the navigation channel to Dundalk Port. The Applicant is the Port operator.</p> <p>With the implementation of the proposed mitigation measures, there is not expected to be any impact on vessels using the navigation channel to Dundalk Port, while dredging is underway.</p> <p>Once completed, the proposed channel maintenance dredging will have a significant positive impact on shipping accessing the Port.</p>
Ports, Harbours and Shipping Policy 5	Proposals for capital dredging will be supported where it is necessary to safeguard national port capacity and Ireland's international connectivity, and where required compliance assessments associated with authorisations have been carried out and incorporated into subsequent competent authority decision(s).	No	The proposal is for maintenance dredging.
Ports, Harbours and Shipping Policy 6	In areas of authorised dredging activity, including those subject to navigational dredging, proposals for other activities will not be supported unless they are compatible with the dredging activity.	No	The proposal is for maintenance dredging.
Ports, Harbours and Shipping Policy 7	<p>Proposals for maintenance dredging activity will be supported where:</p> <ul style="list-style-type: none"> • relevant decisions by competent authorities incorporate the outcome of statutory environmental assessment processes, as well as necessary compliance assessments associated with authorisations, including in relation to the planning process; • there will be no significant adverse impact on marine activities or uses or the maritime area. Any potential adverse impact will be, in order of preference, avoided, minimised or mitigated; • dredged waste is managed in accordance with internationally agreed hierarchy of waste management options for sea disposal; • if disposing of dredged material at sea, existing registered disposal sites are used, in preference to new disposal sites; and 	Yes	A NIS was submitted with the application. A Screening for Appropriate Assessment and a risk assessment of the effects of the proposal on Annex IV species was undertaken by the independent environmental consultant. The Screening for Appropriate Assessment (Hartley Anderson, 2022) concluded that likely significant effects on the Special Areas of Conservation and Special Protection Areas could be discounted. The conclusion of the risk assessment of the effects of the proposal on Annex IV species was that the proposed dredging works will not give rise to significant impacts to species listed under Annex IV of the Habitats Directive.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
	<ul style="list-style-type: none"> where they contribute to the policies and objectives of this NMPF. 		The dredge spoil, which will be sand, will be taken ashore for beneficial reuse, if possible. If beneficial reuse is not possible, it will be disposed of to an onshore licensed facility.
Ports, Harbours and Shipping Policy 8	<p>Proposals that cause significant adverse impacts on licensed disposal areas should not be supported.</p> <p>Proposals that cannot avoid such impact must, in order of preference"</p> <ol style="list-style-type: none"> minimise, mitigate, or if it is not possible to mitigate the significant adverse impacts, proposals must set out the reasons for proceeding. 	Yes	The dredge spoil, which will be sand, will be taken ashore for beneficial reuse, if possible. If beneficial reuse is not possible, it will be disposed of to an onshore licensed waste facility. The dredge spoil quantity will be 5000m ³ per annum, which is not expected to have a negative impact on any licensed waste facility.
Ports, Harbours and Shipping Policy 9	Proposals for the management of dredged material must demonstrate that they have been assessed against the waste hierarchy (see Glossary).	Yes	The dredge spoil, which will be sand, will be taken ashore for beneficial reuse, if possible. Reuse is second from the top of the waste hierarchy https://www.gov.ie/en/publication/c0771-waste-hierarchy/ (accessed January 2022 and is consistent with the hierarchy).
Ports, Harbours and Shipping Policy 10	<p>Proposals identifying new dredge disposal sites which are subject to best practice and guidance from previous studies should be supported where:</p> <ul style="list-style-type: none"> competent authority decisions incorporate necessary compliance assessments associated with authorisations; and they contribute to the policies and objectives of this NMPF. <p>Proposals must include an adequate characterisation study, be assessed against the waste hierarchy and must be informed by consultation with all relevant stakeholders.</p>	No	The dredge spoil, which will be sand, will be taken ashore for beneficial reuse, if possible. A new dredge spoil disposal site is not proposed.
Safety at Sea			

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
Safety at Sea Policy 1	Proposals for installation, operation, and decommissioning of Offshore Wind Farms must demonstrate how they will: <ul style="list-style-type: none"> • Minimise navigational risk between commercial vessels arising from an increase in the density of vessels in maritime space as a result of wind farm layout; and • Allow for recreational vessels within the Offshore Wind Farm (including consideration of turbine height) or redirect recreational vessels, minimising navigational risk arising between recreational and commercial vessels. 	No	The proposed project is not for the installation, operation, and decommissioning of Offshore Wind Farms.
Safety at Sea Policy 2	Proposals for infrastructure that have the potential to significantly reduce under-keel clearance must demonstrate how they will, in order of preference: <ol style="list-style-type: none"> a) avoid, b) minimise, c) mitigate adverse impacts, or d) if it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding. 	No	The maintenance dredging will increase under-keel clearance in the navigation channel to Dundalk Port.
Safety at Sea Policy 3	All proposals for temporary or permanent fixed infrastructure in the maritime area must ensure navigational marking in accordance with appropriate international standards and ensure inclusion in relevant charts where applicable.	No	The maintenance dredging will increase under-keel clearance of the existing navigation channel to Dundalk Port. The channel alignment will not change. No new channel marking is required.
Safety at Sea Policy 4	Establishing, changing or disestablishing Aids to Navigation (AtoN) must be sanctioned, in advance of works, by the Commissioners of Irish Lights.	No	The maintenance dredging will not involve establishing, changing or disestablishing Aids to Navigation.
Safety at Sea Policy 5	Proposals must identify their potential impact, if any, on Maritime Emergency Response (Search and Rescue (SAR), Maritime Casualty and Pollution Response) operations. Where a proposal may have a significant impact on these operations it must demonstrate how it will, in order of preference: <ol style="list-style-type: none"> a) avoid, b) minimise, c) mitigate adverse impacts, or d) if it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding, supported by parties responsible for maritime SAR. 	Yes	With the implementation of the proposed mitigation measures, there is not expected to be any impact on vessels using the channel, while dredging is underway. Once completed, the dredging is likely to improve the safety of vessels using the Port as it will provide access to the Port over a wider range of the tidal cycle. This will be a permanent significant positive effect on navigational safety. Any impact on Maritime Emergency Response will be positive.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
Sport and Recreation			
Sport and Recreation Policy 1	Proposals that promote sustainable development of water-based sports and marine recreation, while enhancing community health, wellbeing and quality of life, should be supported, provided that due consideration is given to environmental carrying capacities and tourism pressures.	Yes	With the implementation of the proposed mitigation measures, there is not expected to be any impact on vessels using the navigation channel to Dundalk Port, while dredging is underway. Once completed, the proposed channel maintenance dredging will have a significant positive impact on vessels, including marine leisure craft, accessing the Port.
Sport and Recreation Policy 2	Proposals should demonstrate the following in relation to potential impact on recreation and tourism: <ul style="list-style-type: none"> • The extent to which the proposal is likely to adversely impact sports clubs and other recreational users, including the extent to which proposals may interfere with facilities or other physical infrastructure. • The extent to which any proposal interferes with access to and along the shore, to the water, use of the resource for recreation or tourism purposes and existing navigational routes or navigational safety. • The extent to which the proposal is likely to adversely impact on the natural environment. 	Yes	With the implementation of the proposed mitigation measures, there is not expected to be any impact on vessels using the navigation channel to Dundalk Port, while dredging is underway. Once completed, the proposed channel maintenance dredging will have a significant positive impact on vessels, including marine leisure craft, accessing the Port. The environmental appraisal conclusion was that the nature, scale and location of the proposed maintenance dredging is such that, with the implementation of the proposed mitigation measures and conditions, there is no real likelihood of significant effects on the environment arising from it.
Sport and Recreation Policy 3	Opportunities to promote inclusive development of water-based sports and marine recreation should be supported, where appropriate and at the applicable scale, with a focus on facilities for people with disabilities.	No	The proposed project is not a development for water-based sports and marine recreation.
Sport and Recreation Policy 4	Proposals that improve access to marine and coastal resources for tourism activities, and sport and recreation should be supported, where appropriate, at the applicable scale and aligned with existing development plans.	Yes	With the implementation of the proposed mitigation measures, there is not expected to be any impact on vessels using the navigation channel to Dundalk Port, while dredging is underway. Once completed, the proposed channel maintenance dredging will have a significant positive impact on

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
			vessels, including marine leisure craft, accessing the Port.
Sport and Recreation Policy 5	Proposals should seek to enhance water safety through provision of appropriate International Organization for Standardization (ISO) and European Committee for Standardization (CEN) compliant safety signage. In general the safety of persons should be a key consideration for planners and due consideration should be given to best practice guidance for marine and coastal recreation areas endorsed by the Visitor Safety in the Countryside Group.	Yes	A documented Accident Prevention Procedure will be put in place prior to commencement of the works. The Applicant will arrange for a local Marine Notice to be published to provide information to local maritime users on the dredging works.
Telecommunications			
Telecommunications Policy 1	Proposals that guarantee existing and future international telecommunications connectivity which is critically important to support the future needs of society, Government, the provision of Public Services and enterprise in Ireland, should be supported.	No	The proposed project does not relate to a proposal for a telecommunications project.
Telecommunications Policy 2	Preference should be given to proposals where evidence is provided of an integrated approach to development and activity, such as the bundling of cables (electricity and communications) where suitable, as well as pipelines for multiple activities, to minimise impacts on the marine environment, infrastructures and other users. Compatibility should be achieved, in order of preference, through: a) avoiding, or b) minimising, or c) mitigating adverse impacts, or d) If it is not possible to mitigate significant adverse impacts, proposals should set out the reasons for proceeding.	No	The proposed project does not relate to a proposal for a telecommunications project.
Telecommunications Policy 3	Preference should be given to proposals that protect submarine cables whilst achieving successful seabed user coexistence, such as the bundling of cables (electricity and communications) as well as pipelines for multiple activities where suitable. Proposals should specify if separate access to cables for the purposes of repair and maintenance is required. With regard to decommissioning redundant submarine cables, a risk-based approach should be applied with consideration given to cables being left in situ where this would minimise significant impacts on the physical, natural, societal, historic, and economic value of the area.	No	The proposed project does not relate to a proposal for a telecommunications project.
Telecommunications Policy 4	Proposals that ensure and enhance connectivity of Ireland's rural and island communities to high quality telecommunications networks should be supported.	No	The proposed project does not relate to a proposal for a telecommunications project.
Tourism			

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
Tourism Policy 1	Where appropriate, proposals enabling, promoting or facilitating sustainable tourism and recreation activities, particularly where this creates diversification or additional utilisation of related facilities beyond typical usage patterns, should be supported.	No	The maintenance dredging is not a proposal which enables, promotes or facilitates sustainable tourism and recreation activities.
Tourism Policy 2	Proposals must identify possible impacts on tourism. Where a potential significant impact upon tourism is identified it should be demonstrated how the potential negative consequences to tourism in communities will be minimised. This must include assessment of how the benefits of proposals are not outweighed by potential negative impacts.	Yes	The maintenance dredging is not expected to have a significant negative impact on tourism.
Tourism Policy 3	Proposals for tourism development should seek to optimise facilities and use of space by taking a cross-sectoral development approach that provides for multiple activities, whilst minimising the extent to which the proposal is likely to adversely impact on the natural environment.	No	The maintenance dredging is not a proposal for tourism development.
Wastewater Treatment and Disposal			
Wastewater Treatment and Disposal Policy 1	Proposals by Irish Water related to the treatment and disposal of wastewater that: i) service the social and economic development of the country under the National Planning Framework; ii) resolve environmental issues at priority areas identified by the EPA; iii) contribute to the realisation of the objectives of: • Ireland's River Basin Management Plan 2018 – 2021 • The Water Services Policy Statement 2018 – 2025 • Marine Strategy Framework Directive 2012 - 2020 should be supported, provided they fully meet the environmental safeguards contained within relevant authorisation processes.	No	The maintenance dredging is not a proposal by Irish Water relating to the treatment and disposal of wastewater.

Policy Name	Policy Description	Relevant to Project?	Consistency of project with objectives of the NMPF
Wastewater Treatment and Disposal Policy 2	<p>Proposals that have the potential to significantly adversely affect existing and planned wastewater management and treatment infrastructure where a consent or authorisation or lease has been granted or formally applied for by Irish Water should not be authorised unless:</p> <ul style="list-style-type: none"> • compatibility with the existing, authorised, proposed or otherwise identified in consultations with Irish Water activity, can be satisfactorily demonstrated; • the proposal is clearly of strategic or national importance. <p>Where possible, proposals that may affect Irish Water activities or plans should engage with Irish Water at the earliest available opportunity.</p> <p>Compatibility should be achieved, in order of preference, through:</p> <ol style="list-style-type: none"> a) avoiding adverse impacts on those activities; and / or b) minimising impacts where they cannot be avoided; and / or c) mitigating impacts where they cannot be minimised. 	No	The maintenance dredging does not have the potential to significantly adversely affect wastewater infrastructure.

6 Conclusion

This report provides an assessment of the consistency of the proposed project, the maintenance dredging at Soldiers Point and near Buoy 15 in the navigation channel of Dundalk Port, with the policies and objectives of the NMPF.

The assessment concluded that the proposed works, with the implementation of the mitigation measures proposed in the application and the conditions, recommended in the *Foreshore Licence Application for Dundalk Port Maintenance Dredging Environmental Report (Non-statutory)* (Arup, 2022), will further the objectives and policies of the NMPF with respect to Ports, Harbours and Shipping, and will not adversely affect the attainment of the overarching objectives and policies of the NMPF, nor the objectives and policies for the other key sectors.

7 References

Arup Foreshore Licence Application for Dundalk Port Maintenance Dredging Environmental Report (Non-statutory) (Arup, 2022)

Department of Housing, Local Government and Heritage *Project Ireland 2040 National Marine Planning Framework* (2021)

Department of Environment, Climate and Communications *Waste Hierarchy* <https://www.gov.ie/en/publication/c0771-waste-hierarchy/> (accessed January 2022)

Hartley Anderson *Screening for Appropriate Assessment Dundalk Port Maintenance Dredging Foreshore Licence Application* (2022)

Hartley Anderson *Article 12 Risk Assessment Dundalk Port Maintenance Dredging Foreshore Licence Application* (2022)