

## **Prescribed Bodies Consultation - Observations**

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## Marine Survey Office

Marine Survey Office,  
Abbey View House,  
Ballyshannon T.C.  
Donegal,  
Ireland.

Tel: 353-071-9822400

Fax: 6783409

<b>Memorandum to</b>	<b>DHP&amp;LG – Foreshore Section</b>
<b>Attention</b>	<b>Anita Berney</b>
<b>Fax No</b>	<b>6782159</b>
<b>From</b>	<b>Nick Cantwell</b>
<b>No of Pages</b>	<b>1</b>
<b>Date</b>	<b>28 June 2018</b>
<b>Reference</b>	<b>FS006845</b> <b>Storm water outfall. Portmarnock.</b> <b>Dublin.</b>
<b>CC</b>	

- In the absence of any adverse impact to marine craft, this office has no objections from a navigational viewpoint to the above application.
- **The applicant is required** to arrange the publication of a local marine notice. This local marine notice should give a general description of operations and approximate dates of commencement and completion. A notice in a locally read newspaper at least two weeks prior operations will suffice.
- The divisional engineer should be contacted for opinion.

Yours faithfully

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Nick Cantwell (Capt.)  
Nautical Surveyor

## Marine Institute

**From:** Terry McMahon [mailto:Terry.McMahon@Marine.ie]

**Sent:** 23 May 2018 14:28

**To:** Anita Berney

**Subject:** RE: FS006845 - Storm Water Outfall, Portmarnock, Co. Dublin

Anita

Fingal County Council has submitted an application for a foreshore licence to construct a stormwater outfall to facilitate a residential development and public infrastructure at Portmarnock, Co. Dublin.

The location and details of the proposed works on the foreshore are shown in the following drawing submitted by the applicant:

- Drawing Number Y17205-C-402, "Forehsore Licence / Lease Map", Rev A, dated December 2017
- Drawing Number Y17205-C-401, "British Admiralty Map", Rev A, dated December 2017
- Drawing Number Y17205-C-205, "Storm Water Outfall Location Plans", Rev D, dated August 2017
- Drawing Number Y17205-C-204, "Storm Water Outfall Details", Rev J, dated August 2017
- Drawing Number Y17205-C-201, "Proposed Storm Sewers Layout", Rev G, dated July 2017
- Drawing Number Y17205-C-202, "Proposed Regional Wetland Plan and Sections", Rev G, dated November 2017

Additional details, a description of the proposed works on the foreshore and a Construction Method Statement are provided in the document entitled "Portmarnock South Foreshore Licence Application Engineering Report", dated January 2018, prepared by Barry & Partners, Consulting Engineers submitted by the applicant.

The works on the foreshore will involve:

- Installation of a 525mm outfall sewer complete with a Tideflex non-return valve
- Excavation for and construction of a concrete base slab and wing walls
- Reinstatements if disturbed foreshore.

The total area of foreshore involved is 14m<sup>2</sup>. It is anticipated that the works would take circa 6-weeks to complete.

The stormwater to be discharged via the outfall will be attenuated by the regional wetland with outflows restricted for the 1-year, 30-year and 100-year critical storm events. A flow control device will be installed on the outfall from the wetland limiting the outflow to 200l/sec. Foul and storm networks will be on separate systems and no discharge of foul water through the outfall is proposed.

It is noted that Planning Permission for the whole development, including the storm water outfall was granted, subject to 23 No. Conditions, by An Bord Pleanala under the Strategic Housing Development Regulations in March 2018.

Considering the location, nature and scale of the proposed works on the foreshore the Marine Institute is satisfied that they will not have a significant impact on the marine environment in the area and will not have a significant impact on other legitimate uses / users of the area and has no objections to a licence being granted.

It is recommended that the following Conditions should be attached to any licence that may be granted

1. The Licensee shall use that part of the foreshore, the subject matter of this Permission in accordance with the detailed plans and location drawings as submitted with the application
2. The Licensee shall ensure that appropriate methods of operation are adopted in order to ensure that no spillages of fuel, hydrocarbons, cement or other leakages to the sea occur during the Construction Phase

Terry

Dr. Terry McMahon  
Marine Environment and Food Safety Services

## **Inland Fisheries Ireland**

### **MARINE LICENCE VETTING COMMITTEE:**

**Re: DECLG file ref FS006845 Fingal County Council Foreshore Licence application for a Storm Water Outfall at Portmarnock, Co. Dublin**

***Request for observations from Ms. Anita Berney (DECLG) dated 9.5.2018***

### **Works proposal as per documentation provided:**

The application is for a 525 mm pipe, with tideflex valve at seaward end, discharging from wetland area into Baldoyle estuary at the estuary's most upstream end.

The pipe will discharge through a concrete discharge outfall. This structure will require excavation for and construction of a concrete base slab and wing walls, of total area 33 m<sup>2</sup>

Documentation provided Indicates that no scour or sedimentation issues would arise in the Baldoyle estuary as a consequence of the proposed pipe.

### **IFI comment:**

The Mitigation Measures listed in section 5.3 of the Engineering Report (Barry & Partners 2018) and Section 4.4 of the Natura Impact Statement (Brady Shipman Martin 2017) should form part of licence condition.

The mitigations do not appear to indicate how the construction work, in regard to pouring etc. of concrete, is to be undertaken in a manner that will not lead to any discharges of concrete or associated pollutants to the Baldoyle estuary.

IFI would request clarification on this point and also agreement on a Method Statement in accordance with best environmental practice for the construction of the outfall structure, in advance of any works.

IFI would request sight of a Construction Management Plan (CMP) in advance and IFI would require to agree with this Plan in advance of any works commencement.

James J. King (IFI R&D) and Gretta Hannigan (IFI Eastern RBD)  
Inland Fisheries Ireland  
30.5.2018

CC Terry Mc Mahon MLVC;

## **Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs - Underwater Archaeology & NPWS**

**From:** Foreshore EPA Marine  
**Sent:** 05 June 2018 14:26  
**To:** foreshore  
**Subject:** Foreshore Licence FS006845

RE: Foreshore Licence FS006845 by Fingal County Council for a Storm Water Outfall at Portmarnock, Co. Dublin.

A chara,

Please find the underwater archaeology recommendations of the Department of Culture, Heritage, and the Gaeltacht for the above mentioned application.

Having reviewed the proposals in conjunction with the Courtney Deery Archaeological Report (Dec. 2017), it is the Department's recommendation that all of the archaeological Mitigation Measures detailed in relation to the construction stage works are carried out in full and are included as conditions in the granting of the foreshore licence.

Archaeological Monitoring shall consist of the following:

1. The applicant is required to engage the services of a suitably qualified archaeologist to monitor all areas the proposed storm water outfall (which have not previously been the subject archaeological monitoring). It is recommended that the archaeologist be licensed under the National Monuments Acts 1930-2004 where a monitoring strategy will be agreed by this office.
2. Should archaeological material be found during the course of monitoring, the archaeologist shall have work on the site stopped, pending a decision as to how best to deal with the archaeology. The developer shall be advised by the Department of Culture, Heritage and the Gaeltacht with regard to any necessary mitigating action (e.g. preservation in situ, dive and/or geophysical survey or excavation). The applicant shall facilitate the archaeologist in recording any material found.
3. The Department of Culture, Heritage and the Gaeltacht shall be furnished with a report describing the results of the monitoring.

Mise le meas,

Connor Rooney  
Development Applications Unit  
Department of Culture, Heritage, and the Gaeltacht.  
Newtown Road  
Wexford

## Sea Fisheries Protection Authority

**From:** McGabhann, Declan [mailto:Declan.McGabhann@sfpa.ie]

**Sent:** 21 June 2018 12:53

**To:** Anita Berney

**Cc:** Quigley, Declan; Foley Tina

**Subject:** RE: Final Reminder FS006845 - Storm Water Outfall, Portmarnock, Co. Dublin

Good afternoon Anita,

Please see my observations regarding the application FS006845.

The following observations regarding the application by Fingal County Council for the addition of a storm water outfall into Baldoyle Estuary.

1. There are no commercial fisheries operating within Baldoyle Estuary.
2. Baldoyle Estuary feeds directly into the southern end of the Malahide shellfish production area. Malahide is classified as A which permits the direct consumption of razor clams without any depuration or further processing. The Classified status of A affords the Irish Sea razor clam fleet and associated processors direct access to the Asian seafood market worth in excess of 8.5 million Euro at first sale. Live razor clams are harvested on a year round basis and arrive in the Asian seafood markets within 48 hours of harvesting.
3. Any deterioration in the water quality to the Malahide shellfish production area will remove direct access to the Asian live razor clam market by the Irish fleet and processors. The Malahide shellfish production has a number of existing outfalls feeding into it from the surrounding areas which add to any risk of a reduction in water quality.
4. There is the potential for serious risks on food safety if system failure permit untreated sewage into the receiving waters of Malahide Shellfish production area. A robust system must be in place for the early detection and notification to prevent contaminated shellfish reaching consumers and the negative effects on the market.
5. All failures in the system in Mayne Road and Portmarnock bridge stations must be notified to both the SFPA HQ and the local SFPA Howth office so immediate measures can be put in place to ensure that contaminated shellfish does not enter the food chain.

Kind regards,

Declan

Sea Fisheries Protection Authority

Howth Fisheries Harbour Centre

West Pier

Howth

Co. Dublin

## Department of Agriculture, Food & the Marine

**From:** Kelleher Evan [mailto:Evan.Kelleher@agriculture.gov.ie]  
**Sent:** 28 June 2018 12:41  
**To:** Anita Berney  
**Cc:** Foreshore  
**Subject:** FS006845 - Storm Water Outfall, Portmarnock, Co. Dublin

Dear Anita,

**Your Ref:** FS006845

**Our Ref:** FW 4/35

**Re:** **Storm Water Outfall, Portmarnock, Co. Dublin**

Further to your e-mail dated 09/05/2018.

On the basis of the information provided the Department has the following comments to make:

“Appropriate measures must be put in place and best practice adhered to during the construction stage to ensure that there are no adverse effects such as hydrocarbon spills, excessive siltation or disturbing of coastal processes, caused by the installation.

Adequate maintenance testing and inspection regimes must be maintained during the construction stage, and right through the operational phase of the system to ensure that the possibility of pollution or unwanted discharges are minimised.

Hydrocarbon interceptors, swales and other flow control devices should be fit for purpose and reviewed per manufacturers guidelines.”

With regards local fisheries the Department makes the following comments:

1. “There are no commercial fisheries operating within Baldoyle Estuary.
2. Baldoyle Estuary feeds directly into the southern end of the Malahide shellfish production area. Malahide is classified as A which permits the direct consumption of razor clams without any depuration or further processing. The Classified status of A affords the Irish Sea razor clam fleet and associated processors direct access to the Asian seafood market worth in excess of 8.5 million Euro at first sale. Live razor clams are harvested on a year round basis and arrive in the Asian seafood markets within 48 hours of harvesting.
3. Any deterioration in the water quality to the Malahide shellfish production area will remove direct access to the Asian live razor clam market by the Irish fleet and processors. The Malahide shellfish production has a number of existing outfalls feeding into it from The surrounding areas which add to any risk of a reduction in water quality.
4. There is the potential for serious risks on food safety if system failure permit untreated sewage into the receiving waters of Malahide Shellfish production area. A robust system must be in place for the early detection and notification



to prevent contaminated shellfish reaching consumers and the negative effects on the market.

5. All failures in the system in Mayne Road and Portmarnock bridge stations must be notified to both the SFPA HQ and the local SFPA Howth office so immediate measures can be put in place to ensure that contaminated shellfish does not enter the food chain.”

**Kind regards,**

*Evan Kelleher*

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**Evan Kelleher**

*Aquaculture and Foreshore Management Division*

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**An Roinn Talmhaíochta, Bia agus Mara**

*Department of Agriculture, Food and the Marine*

**National Seafood Centre, Clogheen, Clonakilty, Co. Cork, P85 TX47**

An Lárionad Bia Mara Náisiúnta, An Cloichín, Cloich na Coillte, Corcaigh, P85 TX47

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