

**CONSOLIDATED PRESCRIBED BODIES OBSERVATIONS ON
FS006748 DEVELOPMENT OF BERTH NO 2 AT GREENORE PORT
CO LOUTH**

OBSERVATIONS OF THE MARINE INSTITUTE

On the basis of the information provided by the applicant the Marine Institute has no objections to a Foreshore Lease and Foreshore Licence being granted for the works. The following conditions will apply:

1. The Lessee / 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. Contractor's arrangements for the control of pollutants should be notified to Department of the Housing, Planning and Local Government for agreement prior to works on the foreshore commencing.
2. Method Statements for all construction operations on the foreshore shall be submitted by the Lessee / Licensee and agreed with the Department of the Housing, Planning and Local Government prior to the commencement of any works on the foreshore.
3. A Construction Environmental Management Plan shall be submitted by the Lessee / Licensee and agreed with the Department of the Housing, Planning and Local Government prior to the commencement of any works on the foreshore
4. The Lessee / Licensee shall ensure that all imported fill material is free from any contaminants and non-native species and obtained from an authorised/licensed source.
5. On completion of the works on the foreshore the Lessee / Licensee shall ensure that all equipment and materials are removed from the foreshore

**OBSERVATIONS OF THE DEPARTMENT OF AGRICULTURE, FOOD AND THE
MARINE**

1:

An examination of the results of the chemical analysis provided in Appendix 2 of the Foreshore Application Report indicated low level contamination of a number of samples rendering them `marginally contaminated` in accordance with the parameters established in the Marine Institute's Guidelines for the Assessment of Dredge Material for Disposal in Irish Waters. It is noted that TBT concentrations in sample 7 (0.132mg/kg) are slightly above the lower level threshold (0.1mg/kg) established by the Marine Institute, rendering this sample marginally contaminated with TBT.

Licensed aquaculture operations are located approximately 400-450m to the west-southwest of the proposed dredge site and would be particularly vulnerable to TBT contamination, however, TBT/DBT concentrations across the samples appears to be low. Furthermore, as the proposal currently entails the removal of this material off-site for disposal at a suitably permitted/licensed facility, the likelihood of this material negatively impacting on existing aquaculture operations or existing fishing activities is low.

As with all dredging operations, care should be taken to prevent any overspill from the dredger negatively impacting upon water quality locally. From the perspective of minimising the potential impact of the dredging operations on the adjacent aquaculture operations we would recommend the following:

1. An environmental bucket should be used when dredging the overburden material to curtail overspill and minimise any localised increases in turbidity.
2. The decanting of excess water from the dredge barge should be prohibited.
3. Water leaching from any stockpiled materials should be prevented from directly re-entering the lough by surface run-off over the quay edge. Silt traps should be installed at existing gullies to reduce the amount of suspended solids discharging into the lough through the existing drainage system.
4. A water quality monitoring programme should be employed for the duration of the dredging campaign. Background turbidity/suspended solids levels should be established and suitable trigger levels set in order to control dredging operations. Should water quality deteriorate to the point where trigger levels are breached dredging operations should cease until the cause of the breach is established and water quality returns to an acceptable standard. Local aquaculture operators should be notified of any significant breaches in water quality.
5. A quantity of silt material is expected within the overall dredge volume. If this material is to be stabilised to reduce its moisture content in order to facilitate onward transportation and disposal, any additive (such as cement, lime, GGBS etc.) should be carefully managed so as to reduce the likelihood of its accidental discharge into the marine environment.

2:

There are a number of licensed aquaculture sites located within Carlingford Lough within close proximity to Greenore Port. Potential adverse impacts on these sites could occur as a result of pollution incidents e.g. spill of hydrocarbons, or increased sedimentation at the aquaculture sites resulting from the resuspension and advective transport of suspended matter during the dredging activity. Considering the “clean” nature of the sediments to be dredged chemical contamination of shellfish product is not considered likely. In order to ensure that the risk of potential impacts on aquaculture are minimised it is recommended that the following conditions should be attached to any lease/licence that may issue:

1. The lessee/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. Contractor's agreements for the control of pollutants should be notified to the Department of Housing, Planning and Local Government for agreement prior to works on the foreshore commencing.

2. A Construction Environmental Management Plan shall be submitted by the Lessee/Licensee and agreed with the Department of Housing, Planning and Local Government prior to the commencement of any works on the foreshore.

3. The Lessee/Licensee shall ensure that all imported fill material is free from any contaminants and non-native species and obtained from an authorised/licensed source.

3:

BIM is supportive of the proposed development in that it appears necessary for the future operation of the port, however BIM do have a number of requests with regard to the environmental management of the proposed development to ensure that the valuable shellfish stocks located adjacent to the port are protected.

Given that the proposed development is sited directly adjacent to an area designated under SI No. 268 of 2006 European Communities (Quality of Shellfish Waters) Regulations 2006, BIM would seek assurances that the licence pertaining to the proposed development will observe the terms of the SI and thus provide adequate protection for the aquaculture industry. In particular the SI specifies that the background levels of suspended solids in these waters cannot, at any time, increase by more than 30%. We request that a continuous monitoring programme be required in the licence to ensure compliance with the suspended solids limits or ideally BIM would request that this requirement be managed by limiting dredging activities to ebb tides.

OBSERVATIONS OF DEVELOPMENT APPLICATIONS UNIT, DEPARTMENT OF CULTURE, HERITAGE, AND THE GAELTACHT

Underwater Archaeology

Having reviewed the accompanying documentation the predicted impact of the proposed scheme upon the archaeological heritage is detailed in the Cultural Heritage Assessment with proposed mitigation measures summarised in Section 8.2 (pg. 11).

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. In order to ensure the preservation of this underwater archaeological site/ feature the applicant is required to engage the services of a suitably qualified archaeologist to monitor all areas the proposed works (which have not previously been the subject of dredging and 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.

National parks and Wild Life

In relation to the proposed development at Berth No.2, Greenore Port, and the protection of the habitats and wildlife in this area, the granting of the Foreshore Licence, should only take place if the applicant:

1. Uses trained and experienced marine mammal observers (MMOs) to provide effective means of detecting marine mammals in the vicinity of coastal and marine plans or projects. Associated operational considerations must also be taken into account (see section 4.2, 4.3.1, 4.3.2 and 4.3.3 of the document Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters found at link below).
https://www.npws.ie/sites/default/files/general/Underwatersoundguidance_Jan2014.pdf
2. Ensure that work has ceased by 1st May or ceases during 1st May to 30th June inclusive in the year that work takes place, in order to mitigate against disturbance to breeding wildlife, particularly Black Guillemots that nest on the nearby breakwater.

These mitigations are outlined in the Appropriate Assessment Screening document (Refurbishment Quay Wall Berth 2 – Greenore Port, 17th May 2017-FINAL) written for Greenore Port by Breffni Martin.

The following conditions will attach to the licence :

1. A Contractors Method Statement for all operations on the foreshore shall be submitted to DHPLG prior to the commencement of the works
2. The Licensee shall use that part of the foreshore as outlined in the submitted Drawings for the purposes as outlined within the Application (the development of Berth 2 associated dredging and associated works) and for no other purpose whatsoever.
3. Disposal of all dredged material shall be undertaken in accordance with the submitted plans and Drawings and shall comply with the relevant permit under the Waste Disposal legislation/ Dumping at Sea Permit as appropriate if either of these options for disposal of dredged material are chosen.
4. The Licensee shall at all times keep the said works in a good and proper state of repair and in a proper condition to the satisfaction of the Minister so as to ensure that they are not injurious to navigation, the adjacent lands or the public interest.
5. During the construction stage the site shall be secured from public access by appropriate barriers and signage and shall comply with the relevant health and safety legislation.
6. The works shall be undertaken in a manner that avoids undue disturbance to on-going fishing and aquaculture operations in Carlingford Lough.
7. Mitigation Measures as set out on Pages 13 and 14 in the Appropriate Assessment Report (dated 17/5/2017) shall be implemented unless otherwise varied or directed by NPWS or by other conditions in this licence.
8. Further to Condition 7 above a qualified and experienced Marine Mammal Officer (MMO) shall be appointed for the duration of the project to monitor for marine mammals and the key functions of this MMO shall be as outlined with reference to Section 9.7 of the draft Construction Environmental Management Plan (CEMP) or as otherwise agreed in consultation with NPWS.
9. All dredging and piling operations shall be undertaken in accordance with the guidance document entitled "Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters"(DAHG 2014)
10. Mitigation Measures proposed at Section 5.2 of the "Flood Risk Assessment" (ref Appendix 1 of the Foreshore Application Report dated Sept 2017) should be implemented in full in consultation with Louth County Council.

11. The final CEMP as agreed with the Louth County Council and in conjunction with other key stakeholders shall be submitted to this Department before any works commence on the foreshore.

12. Imported rock armour material shall be free of any contamination and invasive alien species and sourced from authorised/licensed quarry or other approved operators.

13. The Licensee shall notify the DHPLG (Marine and Foreshore Planning Unit) at least 10 days in advance of the commencement of the works on foreshore.

OBSERVATIONS OF THE LOUGHS AGENCY

The Agency has viewed the documentation provided and would advise the applicant that there are aquaculture and shellfisheries interests within proximity to the extraction site that appear to have been largely overlooked.

Furthermore, the creation of suspended solids is described as 'extremely small', yet actual amounts have not been provided. The Agency requests that suspended solids analysis be ongoing for the duration of the works in order to measure any potential impacts for aquaculture of filter feeding bivalves in the area.

OBSERVATIONS OF THE MARINE SURVEY OFFICE

Reference FS006478
Proposed development of berth No 2, Greenore Port. Co. Louth.
CC

- In order for charts and nautical publications to be updated the applicant is required to inform the British Admiralty Hydrographic Office at Taunton, UK, of the location and nature of the proposed works.

- The applicant is required to apply to the Commissioners of Irish Lights (Web Site: www.cil.ie, Fax: 01-6618094, email: marine@cil.ie) for sanction of new aids to navigation and/or alteration of existing aids to navigation.
- In addition to a Notice to Mariners, 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. An advertisement in a locally read newspaper will suffice. In conjunction, a Port marine notice issued by the Harbour Master is required.