



For Office Use

Ref. No. _____

Application date: _____

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**APPLICATION FOR A LEASE/LICENCE/CONSENT UNDER THE FORESHORE ACT
1933 (AS AMENDED)**

- Applications for Offshore renewable energy (ORE) projects should use an ORE specific form.
- Please complete the form electronically. Type details in the boxes provided, space will expand as you type.
- The enclosures checklist should also be completed
- Tá an leagan Gaeilge den fhoirm seo ar fáil ar iarratas.

**BEFORE FILLING OUT THIS FORM PLEASE READ THE DECLARATION AND
CONSENT ON PAGE 9:**

**IT IS IMPORTANT TO NOTE THAT A CHANGE IN APPLICANT NAME WILL REQUIRE
A NEW APPLICATION.**

DATA PROTECTION

The Office of the Data Protection Commissioner states that the sending of marketing material to individuals without consent may result in action by the Data Protection Commissioner against the sender including prosecution. It is the responsibility of persons or entities wishing to use any personal data on an application form for direct marketing purposes to be satisfied that that they may do so legitimately under the requirements of the Data Protection Acts 1998 and 2003 and with regard to General Data Protection Regulation (2016/679) requirements.

Applicant Name and Address:

Full Name of Applicant (not Agent):

Captain Martin J. Donnelly

Company/Organisation:

Drogheda Port Company

Address:

Harbourville House, Mornington Road, Drogheda, Co. Meath

Eircode:

A92 K5RN

Applicant Contact Details:

Phone No:

041 983 8378

E-mail address:

martindonnelly@droghedaport.ie

Agent (if any) Address/Contact Details:

Person/Agent acting on behalf of the Applicant: Ashley O' Toole
Company: AWN Consulting Ltd
Address: AWN Consulting Ltd, The Tecpro Building, IDA Business and Technology Park, Clonsaugh, Dublin 17
Eircode: D17 XD90
Phone No: +35318474220
E-mail address: Ashley.otoole@awnconsulting.com

Applicant's Legal Advisor:

Name: Mr. Fiach McHugh
Address: McKeever Taylor Solutions, 31 Laurence Street, Drogheda, Co. Louth
Eircode: A92 KFH3
Phone No: 0419838630
E-mail address: info@mckeevertaylor.ie

Part 1: Proposal Details (Attach additional documents as required)

1.1	Description of proposed works/activity. To carry out maintenance dredging between the period 2021 and 2029 within the commercial estuary of the River Boyne and seaward approaches and to land ashore a portion of this dredge material for beneficial reuse in the construction industry. The remainder of the material is dumped at sea. Please see Attachment A Description of Proposed Works for further details.
1.2	Describe the nature and scale of any structure to be erected on the foreshore. Is the structure proposed to be temporary or permanent? Not applicable. No structure to be erected on the foreshore.

<p>1.3</p>	<p>Indicative timing of the works/activity: (i) Start date (ii) Duration (iii) Any other information relevant to timing.</p> <p>The Dumping at Sea permit is sought for a period of 8 years to cover maintenance dredging requirements from 2021 to 2029. Other than the licence start and finish date, there is no date, time constraint or time limit sought for the maintenance dredging. Dredging at the river mouth and port approaches is generally driven by weather events that cannot be predicted or scheduled. Please see Attachment A for further details.</p>
<p>1.4</p>	<p>Primary usage for proposed development (please tick)</p> <div style="border: 1px solid black; height: 150px; width: 100%;"></div>
<p>1.5</p>	<p>Do the proposed works provide for public use, commercial use, restricted use or strictly private use? Provide Details</p> <p>The proposed works provide for public use. Drogheda Port is a semi state Port company where the primary shareholder is the Chief Executive of Louth County Council. Drogheda Port, as a semi state company, is charged with the management and control of the Port of Drogheda as defined in the Harbours Act 1996 and amendments. The Port is an open public port for all i.e. commercial ships, trawlers, local fishing vessels, yachts and small marine leisure. Maintenance dredging ensures the provision of the safe navigational water depths for the enjoyment for all that avail of the Port facilities.</p>
<p>1.6</p>	<p>Might the proposed works restrict public use/enjoyment of the foreshore? Provide details.</p> <p>No, maintenance dredging ensures the provision of the safe navigational water depths for the enjoyment for all that avail of the Port facilities.</p>

<p>1.7</p>	<p>Has the applicant held or does the applicant hold any previous Foreshore Licences, Leases or applications over the area sought or over any other area including pending applications? (Give details including Department's file reference number(s)).</p> <p>Foreshore Licence Ref. No. FS005747 (granted 2013) issued by the Minister for the Environment, Community and Local Government.</p> <p>Dump at Sea permit (granted 2013) Ref. No. S0015-02 issued by the EPA.</p> <p>Please see Attachments S and T for copies of these documents.</p>
<p>1.8</p>	<p>Status of planning permission application: Pending/granted/not required.</p> <p>Not required. Please see Attachment U Brady Shipman Martin – Planning Permission for further details.</p> <p>Consent Authority: Not applicable Reference Number: Not applicable</p> <p>(Please provide copies of consents granted)</p>
<p>1.9</p>	<p>Are any other consents required for this proposal? Please detail.</p> <p>Not applicable, no other consents required.</p> <p>Consent type Consent Authority: Reference Number: Status of application:</p> <p>(Please provide copies of consents granted)</p>
<p>1.10</p>	<p>Employment Implications (if any)</p> <p>Drogheda Port Company and its operators are major employers within the northeast region both in terms of direct and indirect employment. Additionally, there are three private import/export facilities located on the commercial estuary that depend on the river access for seagoing vessels to conduct their business. Any disruption to the port access water depths for safe navigation of seagoing vessels will immediately impact on Drogheda Port Company and its operators' ability to maintain business and employment. The same applies to the private facilities, their business and employment.</p>
<p>1.11</p>	<p>Capital cost of proposed works (€ - Euro)</p> <p>Not applicable</p>

1.12	<p>Do the proposed works involve the drawdown of European Union or State funding?</p> <p>No, not applicable.</p> <p>If "Yes" give details, including any time restrictions, etc. applying</p>
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Part 2: Proposed Site. (Attach additional documents as required)

2.1	<p>County: Louth and Meath</p>
2.2	<p>Location name and nearest townland name:</p> <p>Drogheda Port, Drogheda</p>
2.3	<p>Geographic co-ordinates of the area under application in degrees minutes and seconds WGS84 for offshore developments and where the area can also be identified on the Ordnance Survey map and /or is connected to the seashore/mainland , specify Ordnance Survey map no and Irish National Grid co-ordinates</p> <p>Please see Attachment F Loading Area and Attachment G Loading Area Co-ordinates. Ordnance Survey Map: Under Licence No. EN 0005010.</p>
2.4	<p>Please indicate the size of the Foreshore area (Ha²) or (M2) or (KM2)</p> <p>The extent of the commercial estuary, the river entrance and seaward approaches is 73 hectares.</p>
2.5	<p>If offshore please indicate distance from shore (Km):</p> <p>Offshore dumpsites are 4km from the north breakwater. Please see Attachment I Location of Maintenance Dredging Dumpsites.</p>
2.6	<p>Is any of the foreshore in the proposed site in private ownership? If yes please provide documentary evidence of same (e.g. folio)</p> <p>No, not applicable.</p>
2.7	<p>Any other site details considered relevant:</p> <p>Not applicable</p>

Part 3. Maps and Drawings, Please refer to Guidance on map and drawing requirements.

<p>3.1</p>	<p>Site location map attached? Please include reference no(s).</p> <p>Yes, please see Attachment E Dredging Extent and Attachment F Loading Area</p>
<p>3.2</p>	<p>Foreshore Lease/Licence map attached? Please include reference no(s).</p> <p>Please see the following Attachments:</p> <ul style="list-style-type: none"> • Attachment E Dredging Extent • Attachment F Loading Area • Attachment I Location of Maintenance Dredging Dumpsites • Attachment J Hydrographic Dumpsite A1 • Attachment K Hydrographic Dumpsite A2 • Attachment V Longitudinal Section Drawing
<p>3.3</p>	<p>Drawings of structures to be used and or layout (if required) attached? Please detail and include reference no(s).</p> <p>Please see Attachment H Trailer Suction Dredger Illustration</p>
<p>3.4</p>	<p>Admiralty Chart attached?</p> <p>Please see Attachment Q British Admiralty Chart</p>
<p>3.5</p>	<p>Other maps/drawings attached ?– please detail and include reference numbers</p> <p>Please see Section 3.2</p>

Part 4: Pre- application consultations

4.1

Describe briefly any consultations undertaken with the following bodies:

National Parks & Wildlife Service (NPWS) of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs

- **National Monuments Service (NMS) of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs**
- **Inland Fisheries Ireland**
- **Sea Fisheries Protection Authority**
- **Marine Institute**
- **Marine Survey Office**

Please also provide copies of correspondence. application seeks to extend & revise.

The consultation process included circulation to and discussion of an Environmental Report Scoping Document with Drogheda Port Company and the following bodies:

- Environmental Protection Agency;
- Inland Fisheries Ireland (IFI);
- Sea Fisheries Protection Authority (SFPA);
- Department of Housing, Planning and Local Government (DoHPLG) (Foreshore Section);
- The National Parks and Wildlife Service; and
- Environmental Pillar i.e. national environmental non-governmental organisations (NGOs) who work together to represent the views of the Irish environmental sector.

Responses were received from the following members of the Environmental Pillar:

- The Irish Whale and Dolphin Group;
- Department of Agriculture, Food and the Marine;
- Birdwatch;
- Irish Seed Savers Association; and
- Louth Nature Trust.

Consultation meetings were held with the EPA, IFI and SFPA. All comments, suggestions and written responses provided were taken into account in the preparation of an Environmental Report.

For further details on the consultation process, please see Attachment N Environmental Report.

Please see Attachment Y Correspondence from DoEHLG - Archaeology for further details on consultation with the Department of Environment, Heritage and Local Government.

Please see Attachment M SFPA & EPA Correspondence for further details on correspondence with the Sea Fisheries Protection Authority.

Please see Attachment O Marine Institute Sampling and Analysis Plan for further details on correspondence with the Marine Institute.

4.2	<p>Describe briefly any consultations undertaken with other relevant authorities (e.g. Local Authority, Port/Harbour authority etc) or State Agencies.</p> <p>A pre-submission consultation was held with representatives of the Foreshore Unit of the Department of Housing, Planning and Local Government on the 17th of October 2019 where Drogheda Port Company was advised that an Environmental Impact Assessment Report was not required for this Foreshore Licence Application. Nonetheless a considerable quantity of relevant environmental assessments including an Environmental Report have been undertaken in recent years and these are included as supporting documentation to this application. These studies have investigated a range of potential environmental impacts which may be associated with dredging activities and together they demonstrate that significant environmental impacts will not occur as a result of the dredging activity for which this Foreshore Licence is sought.</p>
4.3	<p>Describe any consultations undertaken to date with other foreshore users.</p> <p>Not applicable.</p>
	<p>Describe any likely interactions with activities of the public or other foreshore users during the construction and operational phases of the works/activities (e.g. fishing, aquaculture, sailing, and surfing swimming, walking). Describe any measures proposed to minimise inconvenience to other users.</p> <p>Local Notices to Mariners will be issued and posted on the Drogheda Port Company website www.droghedaport.ie . Port and marine related interest parties are circulated on the Port's daily shipping programme. Dredging plant engaged must operate to a defined programme. Dredging plant engaged must comply with the International Collision Regulations and exhibit the appropriate daytime and night-time navigational signals for a vessel of its size and operation. Dredging plant must comply with the Port byelaws and directions of the Harbourmaster.</p>
4.5	<p>Have adjacent landowners, whose properties may be affected by these works been consulted? Please provide details/permissions as appropriate.</p> <p>There will be no effect. Drogheda Port has a long history of dredging without impact or recorded incident on adjacent landowners. Drogheda Port Company within the past twenty years has carried out two major capital dredging campaigns whereby a large number of dredging plant items were located within the estuary on a 24/7 operational basis without incident or disruption to adjacent landowners or the commercial or leisure activities of the wider community.</p>

Part 5: Environmental Considerations
(your consultations with National Parks and Wildlife Service and National Monuments Service may inform your answers. Attach additional reports as required and mark under the R column)

www.epa.ie/downloads/advice/ea/guidelines/

www.environ.ie/en/DevelopmentHousing/PlanningDevelopment/EnvironmentalAssessment/

<http://www.npws.ie/protectedsites/appropriateassessment/>

<http://webgis.npws.ie/npwsviewer/>

	Environmental legislative requirements	Yes	No	R
5.1	Is an Environmental Impact Statement required for this proposal?		X	Please see Attachment N Environmental Report, not required but provided for completeness
5.2	Is a Natura Impact Statement required for this proposal?		X	Please see Attachment R Natura Impact Statement, not required but provided for completeness
5.3	Is the area within or adjacent to a NHA, pNHA, SAC, SPA, or National Park? Specify site names and code(s). <ul style="list-style-type: none"> • Boyne Coast and Estuary SAC [001957] • River Boyne and River Blackwater SAC [002299] • Clogher Head SAC • Dundalk Bay SAC • Rockabill to Dalkey Island SAC [003000] • Boyne Estuary SPA [004080] • River Boyne and River Blackwater SPA [004232] • River Nanny and Estuary SPA [004158] • Dundalk Bay SPA • Rockabill SPA 	X		Please see Attachment R Natura Impact Statement for further details
5.4	Describe any other projects or plans for the area, anticipated or developed, that in combination with this proposal, may have a significant effect on a Natura 2000 site: Please list with planning reference numbers (where available).		X	Not applicable

	Environmental Considerations	Yes	No	R
5.5	Will the proposal have any potential environmental impacts? If yes, please describe		X	Please see Attachment N Environmental Report, for further details
5.6	Are you proposing any measures to mitigate the potential environmental impacts? If yes, please describe	X		Please see Attachment N Environmental Report, for further details
5.7	Are there public health/safety implications arising from the proposed works? (e.g. effluent disposal, removal of derelict or dangerous structures etc.) If yes, please describe No. The only operation within the defined area of the Foreshore sought is for the dredging of accreted muds and silts resulting from fluvial deposits, or accreted sands from coastal longshore sediment transport or storm accelerated accretion.		X	
5.8	Will the works involve the storage and/or disposal of waste? If "Yes" please give details of the type of waste and the proposed method of storage and/or disposal (including location) Drogheda Port Company has applied to the Environmental Protection Agency for a Dump at Sea Permit. This is for the sea disposal of part or all of the dredged material. All muds and silts from the commercial estuary will be disposed of at the seaward disposal site 'A1'. Sand material from the river entrance may be disposed of at either of the dump sites 'A1' or 'A2'. Drogheda Port will also be engaging in a beneficial reuse option whereby a portion of the material dredged from the river entrance and seaward approaches only will be beneficially reused within the construction industry. This is not an aggregate winning operation. This beneficial reuse option is driven by the need to dredge the river entrance and seaward approaches to restore safe navigational water depths particularly after southeast or northeast storm events and meets the requirements of the OSPAR Convention. Maintenance dredging is only engaged once water depths are reduced below a safe navigation value relative to Chart Datum. This material is not being disposed of or discarded but beneficially reused.	X		
5.9	Any other Environmental Considerations? If yes, please specify.		X	

	Built Heritage Considerations	Yes	No	R
5.10	Does the area contain an archaeological site or feature? If yes, please specify.		X	
5.11	Does the area contain or adjoin a listed archaeological site or monument? If yes, please specify.		X	
5.12	Will the proposal have any potential impacts on the archaeological integrity of the site? If yes please describe		X	Please see Attachment Y Correspondence from DoEHLG - Archaeology for further details.
5.13	Are you proposing any measures to mitigate potential archaeological impacts? If yes, please describe?		X	

Part 6: Navigational Safety Considerations. (Your consultations with relevant stakeholders may inform your answers. Attach additional documents as required and mark under the R column)

	Navigational Safety Considerations.	Yes	No	R
6.1	<p>Are there public navigational safety implications arising from the proposed works?</p> <p>No. Drogheda Port is the navigational authority for the area contained within its Port and pilotage limits as defined in the Harbours Act 1996 and amendments. The normal safe navigational procedures are applied in advance and during each dredging campaign. Plant engaged in the actual dredging comply with the International Collision Regulations and display the appropriate daytime and night-time navigational signals.</p>		X	
6.2	<p>What marine activity is there in the area? Marine activities in the area are divided as follows:</p> <p>a) The primary marine activity on the River Boyne is the commercial shipping to and from Drogheda Port and its associated facilities (5 in number). b) A small number of seagoing trawlers use the Port occasionally for repairs particularly if the adjacent Clogherhead Harbour is at capacity. c) A small number of inshore shell fishing boats are based within the river sailing and berthing on a daily basis. d) In the summer months a small number of tourist yachts visit Drogheda. e) Local day boats, fast power craft, rescue boats, rowers and canoes. f) Maritime Festival events and other marine tourism related events supporting local and regional tourism development.</p>	X		
6.3	<p>How will the marine activity be affected by the proposed works?</p> <p>There will be no effect. Drogheda Port has a long history of dredging without impact or recorded incident on any of the above noted marine related activities. Drogheda Port Company within the past twenty years has carried out two major capital dredging campaigns whereby a large number of dredging plant items were located within the estuary on a 24/7 operational basis without incident or disruption to the commercial or leisure activities of the wider community.</p>	X		

<p>6.4</p>	<p>What mitigating measures will be put in place?</p> <p>Local Notices to Mariners will be issued and posted on the Drogheda Port Company website www.droghedaport.ie. Port and marine related interest parties are circulated on the Port's daily shipping programme. Dredging plant engaged must operate to a defined programme. Dredging plant engaged must comply with the International Collision Regulations and exhibit the appropriate daytime and night-time navigational signals for a vessel of its size and operation. Dredging plant must comply with the Port byelaws and directions of the Harbourmaster.</p>	<p>X</p>		
<p>6.5</p>	<p>How will the proposed works affect Marine Navigation in the future?</p> <p>Maintenance dredging works are essential for the ongoing safe operations of Drogheda Port. A safe navigation channel must be maintained from sea to berth. Water depths particularly at the river entrance and seaward approaches are reduced due to natural accretion from the coastal processes and accelerated accretion due to storm events particularly southeast and northeast gales. To maintain safe marine navigational water depths, timely dredging is required to mitigate against the natural accretion and immediate response dredging to respond to accelerated accretion due to storm events to which Drogheda Port is very susceptible given its location on a shallow shoaling horseshoe coastline.</p>	<p>X</p>		

Part 7: Fishing/Aquaculture considerations (your consultations with IFI, SFPA, DAFM may inform your answers. Attach additional documents as required and mark under the R column)

	Fishing/Aquaculture considerations	Yes	No	R
7.1	<p>Is the proposal located in proximity to any of the following?</p> <ul style="list-style-type: none"> • aquaculture operation • designated Shellfish Growing Waters • fish spawning ground • other sensitive fisheries location <p>Please Illustrate on appropriate chart including distance in Km.</p>		X	
7.2	<p>Are there other potential impacts of the proposal on fishing/aquaculture in the area? If yes, please describe.</p>		X	
7.3	<p>Are there any measures proposed to mitigate potential impacts on fisheries or aquaculture? If yes, please describe.</p> <p>Not applicable</p>		X	

Part 8 – Additional information

8.1	<p>Please detail any additional relevant information.</p> <p>Certain public and private projects that are likely to have significant effects on the environment are subject to EIA requirements derived from EU EIA Directive 2011/92/EU (as amended by Directive 2014/52/EU). Insofar as Dump at Sea permitted and Foreshore licenced activities are concerned, the EIA Directive is transposed into law in Ireland primarily through the European Communities (Environmental Impact Assessment) Regulations, 1989 to 1999 along with various amending pieces of legislation.</p> <p>Requirement for EIA is determined by reference to mandatory and discretionary provisions set out in this legislation. In determining which projects are likely to have significant environmental effects, the EIA Directive and its transposing legislation in Ireland, lists those projects for which EIA is mandatory (Annex I project types) and those projects for which EIA may be required depending on their nature, size or location (Annex II project types). For all Annex I project types, EIA is mandatory and must be undertaken in all cases. Requirement for EIA to be undertaken for Annex II type projects is decided either by virtue of projects meeting the threshold criteria specified in Annex II, or on a case by case basis in the event that a project is of a type listed in Annex II but does not meet the specified threshold criteria.</p> <p>In the case of this Foreshore Licence Application, the need for EIA does not arise as maintenance dredging and beneficial reuse are not listed under either Annex I or Annex II of S.I. No. 93/1999 (as amended). As such neither a mandatory nor a sub-threshold EIA requirement arises for this project.</p> <p>This was confirmed during a pre-submission consultation with representatives of the DOE/Foreshore on the 17th of October 2019 where Drogheda Port Company was advised that an Environmental Impact Assessment Report was not required for this Foreshore Licence Application. Nonetheless a considerable quantity of relevant environmental assessments including an Environmental Report have been undertaken in recent years and these are included as supporting documentation to this application. These studies have investigated a range of potential environmental impacts which may be associated with dredging activities and together they demonstrate that significant environmental impacts will not occur as a result of the dredging activity for which this Foreshore Licence is sought.</p>
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Declaration and Consent:

The details provided here are correct to the best of my knowledge.

I understand that no works will be commenced, by me or my agents on the proposed site, without the prior written consent of the Minister.

By submitting this application form, I agree that the details provided (with personal contact details redacted) are to be published on the Department of Housing website and also that the full information provided including contact details are to be processed and retained by the Department of Housing, Planning and Local Government and shared with all appropriate Prescribed Bodies (as part of the Prescribed Bodies Consultation process) in furtherance of consideration for a foreshore Consent under the Foreshore Act 1933 (and Foreshore Amendment Act 2011).

I give consent to the Minister and his servants to copy this application and to make (a redacted) copy available for inspection and copying by the public. This consent relates to this application, to any further information, or submission provided by me or on my behalf and to the publication of the licence document.

Signature of Applicant (or his or her Agent):

Name of above Signatory (block letters):

Position Held:

Date: _____

Return completed applications to:

Marine Environment and Foreshore Section
Department of Housing, Planning and Local Government
Newtown Road
Wexford
Y35 AP90

Enquiries to: Foreshore@housing.gov.ie (Other contact details to be included in Guidance materials)

Email a copy of application documents: Foreshore@housing.gov.ie

Enclosures Checklist

One hard copy of every document is required unless otherwise stated. Electronic versions of documentation must also be provided in searchable PDF format (no single file to be greater than 30mb) so that the Department can make them available on its website.

Item No.	Description	No. of copies Required	
1	Application Form. With original signature	4	Y
2	Mapping (see guidelines document) (i) Site Location map (ii) Foreshore Lease/licence map	4 4	Y
3	British Admiralty Chart (largest available scale)	1	Y
4	Drawings of the structures to be used and/or layout	4	Y
5	Pre-application correspondence with stakeholders.	1	Y
6	Other statutory permissions: (i) Planning permission (ii) Effluent Discharge Licence (iii) Other consent (Please specify)	1 1 1	N/A
7	Company documentation (1): Certified copy of the Company's Memorandum and Articles of Association	1	Y
8	Company documentation (2) Certificate of Incorporation of a Limited Liability, or Company/Rule Book/Constitution for a Club or Co-Operative Society as appropriate	1	Y
9	Environmental Impact Statement (EIS). (i) Hard copy (ii) CDs	5 25	Y
10	Natura Impact Statement (NIS) (i) Hard copy (ii) CDs	5 4	Y
11	Property-related owner permissions/wayleaves (i) Folio – (or other evidence of private ownership) (ii) Wayleave/consent from other property owners (iii) Other (Please specify)	2 1 1	N/A
12	Other – Please specify	1	Attachments A-Z