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To: Environmental Protection Agency
by email to licensing@epa.ie

Re: Application S0024-01 by Dublin Port Company for Dumping at Sea Permit

A chairde,

I wish to object to the above application on the following grounds:

The use of Dublin Bay for the dumping of dredge spoil is contrary to the designation of the Bay as a UNESCO Biosphere Reserve.

Dumping this enormous quantity of silt and sand within the Bay is not the best way to dispose of or reuse the material dredged.

The EIS claims that an advantage of dumping within the Bay is that the material will remain within the Bay system. However, it does not explain why this is supposed to be an advantage. In the absence of an overall management plan for the Bay it is hard to understand how this claim is made. Certainly the concerns of many local water users including Sutton Dinghy Club about ongoing siltation at Sutton Creek suggest that retaining the material within the Bay may be better regarded as a disadvantage.

Put against this claimed advantage (which is in fact a disadvantage) it is clear that many of the impacts on biodiversity including the Natura 2000 Annex I habitat 'reefs' and Annex II species 'harbour porpoise *Phocoena phocoena*' which are identified or hinted at in the EIS and Natura 2000 Impact Assessment could be completely avoided if a different part of the Irish Sea was used.

The Environmental Impact Statement fails to consider alternative locations for dumping at sea.

This is a fundamental breach of the requirements of the EIA Directive and Irish law transposing the Directive; it is not possible to legally grant a consent in these circumstances.

The application fails to supply the information required in the application form as to how the site was selected.

The application fails to explain the site selection process. This is a requirement on the application form but nowhere in the document is the site selection process explained. (A site selection process is a process whereby a number of possible sites are considered and the best site is picked on the basis of criteria. There is no indication that any other site was considered for this proposed dumping.) This is a fundamental flaw meaning consent cannot be granted.

The effect on Annex I Habitats has not been assessed and therefore consent cannot legally be granted.

The EIS does not adequately assess the impacts on the Natura 2000 Annex I habitat 'reefs'. Reef habitats have been identified in the Rockabill to Dalkey Island SAC¹ both to the south and to the north of the dump site, as close as 4km away in the case of the reefs on the south side of Howth.

Reef habitats are known to be susceptible to the impact of silt and indeed the NPWS conservation objectives supporting document just referenced identifies a correlation between silt impacts and low numbers of species and individuals.

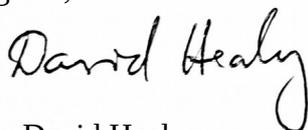
The studies done for the EIS demonstrate that silty water will flow in the direction of each of these at various times depending on the state of the tide. However, the only estimate of loading of silt supplied with the EIS is an estimate of the total silt load after 6 months. What is needed is an estimate of current levels of silt during various condition over the year and the likely changes to both average and peak silt deposition at these sensitive receptors. If this analysis has been done, it has not been supplied in the EIS and Natura Statement.

In these circumstances, the EIS is inadequate.

Furthermore so is the Natura 2000 Impact Statement. As the information supplied is insufficient to enable a conclusion to be drawn that it will not adversely affect the integrity of the site concerned, it is not possible for the EPA to legally grant consent for the activity.

In the light of the above, I urge the EPA to refuse the application.

Regards,



Cllr. David Healy
Howth Malahide Ward
Green Party/Comhaontas Glas

¹Rockabill to Dalkey Island SAC (site code: 3000) Conservation objectives supporting document- Marine Habitats and Species
http://www.npws.ie/sites/default/files/publications/pdf/003000_Rockabill%20to%20Dalkey%20Island%20SAC%20Marine%20Supporting%20Doc_V1.pdf