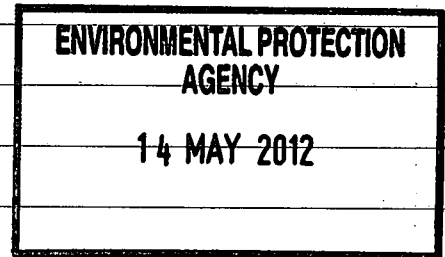


3 CONEY HALL
MORNINGTON
CO-MEATH
7 May 2012

Environmental Licencing Programme
Office of Climate
Licensing and Resource Use
Environmental Protection Agency
P.O. Box 3000
Johnstown Castle Estate
County Wexford



Dear Sir/Madam

This submission to the Environmental Protection Agency is on behalf of the Boyne Estuary mussel and salmon fishermen. It is in relation to an application by Drogheda Port Company to the E.P.A. The application appeared in the Drogheda Independent on the 18TH of April 2012.

The Drogheda Port Company are seeking a permit for the disposal of two million, eight hundred and sixteen thousand tonnes (2,816,000) maximum over an eight-year period, 2013 to 2021. This is an astonishing annual average of three hundred and fifty two thousand tonnes.

The Boyne estuary mussel fishery has been in existence since at least 1771. (See British Library Board, catalogue number EGERTON 1760, EGERTON MS 1760.)

This mussel fishery has played a crucial role in the well being of the communities that lived on the banks of the

2/

Boyne estuary

The Drogheda Port Company's capital dredging scheme in 1999/2000 knocked it for six. They did put in over three thousand tonnes of seed but it did not have the desired effect of putting the fishery back to a commercial viability standing.

At the moment we have approximately three to four hundred tonnes of stock in the river. This brood stock plus a further injection of seed mussels should bring it back to a viable operation. We are seeking the assistance of B.I.M Re the mussel seed. The river bed should be a lot more settled now than it was during the Drogheda Ports re-seeding programme, therefore it would be more receptive to seed.

It is somewhat disingenuous to state that there is no other fishery on the Boyne estuary apart from salmon. (4.1.3. AQUATIC ECOLOGICAL IMPACT STUDY) It is just in a dormant state. It needs some time to recover from the savagery that was imposed on it. We just could not begin harvesting the brood stock. This stock is the foundation of the future of the mussel fishery. Providing that the mussel beds are not interfered with we would expect to be back harvesting in the autumn of 2013.

Also more negative vibes comes from the Ports (SUPPORTING NOTES/DOCUMENTATION SECTION D.1. IMPACT ON RECEIVING ENVIRONMENT) The fishery is not closed. It's just dormant.

3/ Its alive and nourishing the shell fish for future exploitation. As regards Ministerial designation, licenced vessels, management plans, these, all of these obligations will be in place prior to our return to mussel harvesting.

Re the permit which is sought by the DROGHEDA Port Co for permission from the E.P.A to dispose of an average of three hundred and fifty two thousand tonnes per year, it has to be said that this tonnage is far above the tonnage that needs to be disposed of for maintenance dredging. Historically, before the capital dredging scheme 1999/2000 the average annual tonnage which was dredged was in the region of (23) twenty three THOUSAND tonnes from 1994 to 1998 inclusive.

AQUA-

ECOL.
IMPACT
STUDY
2006
TABLE
3.4
3.5

Naturally after the capital dredging scheme of 1999/2000 the tonnage would rise because of the deeper channel. (see aquatic ECOLOGICAL IMPACT STUDY TABLE 3.5.) From 2001 to 2006 the tonnage that was extracted was 750,000, an average of 150,000 per annum. Now they seek three hundred and fifty two thousand per annum. where is this extra 200,000 going to? (also 3.5 table.)

The contingency of one hundred and sixty thousand tonnes is mentioned in SCOTT CAWLEY, NATURA IMPACT STATEMENT 3.5. This is because of unexpected and unplanned events that may impede the navigational channel, or where the river retaining walls didn't do their job and the material contained

4/ within the holdon flows out into the main navigation channel. This occurred in 2000. The dredging that took place after the capital dredging (6.1.1999) was in February 2001, and the tonnage that was dredged was 78,322 tonnes. 78,322 tonnes over two years wouldnt constitute a contingency of 160,000 tonnes.

See 4.2.2 COMERCIAL FISHING, re the impact on salmon netting stations. It states that only one draft netting station can be directly impacted by the proposal. Also 4.3 (AQUATIC ECOLOGICAL IMPACT STUDY) it is stated ROUTE: "While, a significant adverse impact on the one draft-net fishing site is not anticipated, i.e. it is expected that the site will still be fishable after the dredging, this cannot be said with certainty." Ungoute.

This particular salmon fishing station is close to TOMROE'S POINT. It has to be pointed out that after the capital dredging scheme the lower reaches of the Boyne lost two salmon fishing stations that gradually silted up. The fishing stations names are the HOLE and the FRONT. The front salmon fishing station was the most seaward of all of the stations. They did not silt up overnight. It was a gradual process. The silt is still there. If ever you had an opportunity to come to the area in question you could see it for yourself.

Anyway we contacted the

5 Drogheda Port Company about the problem. A Port representative came on site and we pointed out the problems. We requested his assistance to rectify the problem. Two weeks later I received a letter from the Port Rep and he stated that the silting up was not caused by the dredging operation. As I was a member of the Eastern Regional Fishery Board at the time I requested that the E.R.F.B send a letter to the Foreshore Section to notify them of the problem and to also inform them that Drogheda Port Company had contravened the terms of the licence. Also I wrote a letter on behalf of the fishermen to the Foreshore section seeking their assistance in the matter. I forgot to mention that the Port Rep said that this silt was coming from above Drogheda. Sadly we got no assistance from the Port and even sadder we got none from the Foreshore section either.

See BOYNE MUSSEL FISHERY 5.1

To get a more balanced perspective of 5.1 please check the enclosed D.V.D.

No fisherman has any problem with maintenance dredging whatsoever.

This average annual dredging of three hundred and fifty two thousand tonnes is way above the amount that

6 needs to be dredged to keep the navigation channel open.

Another peculiar aspect is the specifying of the amount of tonnage i.e. 2,816,000 tonnes. The Port's obligation is to ensure that the navigation channel is kept clear for the safe passage of ships. All the Port have to do is to dredge the necessary amount of sand for the ships safe passage, and that's it. More obligation, of course is to ensure that all of

○ this dredged material goes back out to sea. Sand is a finite commodity and therein lies a major problem, down the road.

One other concern about the Port's application for the 2,816,000 maximum over eight years is that this can spill over or evolve eventually into a commercial enterprise. We are not objecting to maintenance dredging which must go back into the system, but we do object to the ludicrous 350,000 dredging annual average.

○ Many people of high authority has brought this country to its knees due to a lack of common sense. Please don't go down that road.

Finally I would request you to check out KIRK, MORTON McCURE'S report re Dragage Port Co five year maintenance dredging programme Sept 2001. Refer to Notes section. The full paragraph is as follows Quote: "The Relocation of the dredged

7/ material to where it originated from
will assist in maintaining the status quo
and be a contributing factor in preventing
further erosion of the coastline at Bettystown
and Laytown. Unquote.

Yours sincerely
Leo Boyle

Sec.

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NOTE
EPA - 12/06/2012

Please note that a DVD entitled “Turn of the Tide” which accompanied the submission from Mr. Leo Boyle should have been viewable with Mr. Boyle’s submission but is too large a file to upload to the Agency’s webpage.

Please note that the DVD is available to view, by appointment, at the Agency’s Headquarters at EPA, Johnstown Castle Estate, Co. Wexford.

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