

Grainne Power

From: Licensing Staff
Subject: Submissio No 646 Peadar Farrell
Attachments: Dublin Bay submission.docx

From: Peadar Farrell
Sent: 30 August 2015 13:54
To: Wexford Receptionist; Licensing Staff
Subject: Dumping at sea permit Dublin Port Company S0024-01.

Please find enclosed my observations on the submission from Dublin Port Company for a permit to dump up to 10 Million tons of materials into Dublin bay. A plan which is a cheap way of disposing of their waste where few but the marine life that it would affected and scuba divers would see it.

I place my trust in the EPA not allow this to happen in a very sensitive environment that has lots of environmental protection to prevent such on outrage.

Regards

Peadar Farrell 49 Foxfield Avenue, Raheny, Dublin 5

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ENVIROMENTAL PROTECTION AGENCY

APPLICATION BY DUBLIN PORT COMPANY TO DUMP 10 MILLION TONS OF WASTE

DREDGED MATERIAL INTO DUBLIN BAY. Application No S0024-01

The Legislation covering dumping at sea states that the quantity of material to be dumped is set out in Tonnage. In both the application and the newspaper notice volume in cubic metres (a smaller figure of course) is used not tonnage. This is obviously designed to mislead and confuse the Public and runs throughout the application and thus this application should be rejected.

As set out by Tim Butter in Observation No 1 everything about the newspaper notice was designed not to be seen by the general public and Dublin Bay users and to lessen their ability to challenge the application. A trick well loved by the Celtic Tiger Developers. With 3000+ pages to be read on this submission it has been impossible for the public in general to organise ourselves and get in experts to challenge the findings. We are thus relying on the EPA to act as per its name and protect us and Dublin Bay.

The supporting documents are submitted by RPS on behalf of Dublin Port Company must all be read and considered bearing in mind the High Court Judgement by Justice Mc Kechnie in the Ringsend incinerator case. A Judgement of our High Court is the highest strongest most respectable opinion that can be had in this Country. It is my view that in light of that judgement RPS a UK company are "holed below the water line" and reports and documents emanating from them should be considered in this light.

The people who would be most affected by the planned dumping would be the Swimmers and Divers who enter the Bay water daily. Dublin Port Company made no effort to talk to any of the representative bodies of these groups and show what I believe to be contempt for them. They showed further contempt for the Fingal Councillors who are still totally in the dark about the Project. The last maybe 20% of the excavated sea lane/ fairway and the dumpsite would be in Fingal electoral area and the Councillors have had no notice of what is planned for their shores. DPC may be complying with Irish law but they are not complying with EU law.

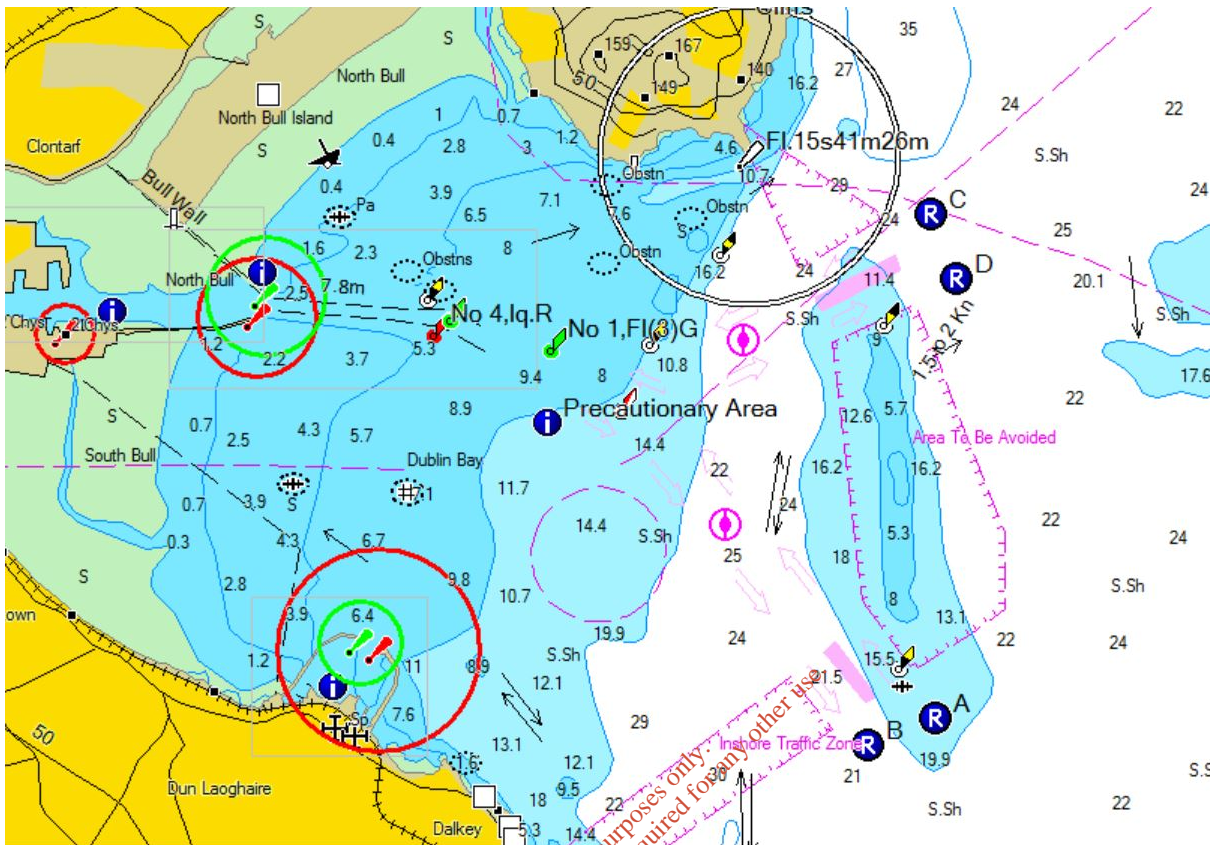
It's most disturbing to read in the submitted documents that for every problem raised the answer is, well it will recover. Sea mammals will be fine the noise will frighten them away. The silt and mud will just disappear and harm nothing. It's unbelievable to read that muds heavily contaminated with heavy metals can be excavated from the sea floor up through the water column and have none of it escape into the water of the Liffey and on into the most environmentally protected area in the entire country. Similarly its unbelievable to even ask to be allowed dump lightly contaminated material into a EU SAC a special area of conservation a Natura 2000 site and a UNESCO Biosphere.

WHAT GETS DUMPED IN DUBLIN BAY STAYS IN DUBLIN BAY

RPS staff from their office in Belfast stated at the oral hearing that the materials excavated belong in the bay. Agreed the materials belong in the compacted on the sea floor not spread all over the bay with the bulk ending up on Bull Island. The massive volume of documentation submitted with the application discusses Humpback whales to Beluga and ranges over the seas from the Baltic down to the Antarctic quoting expert after expert from far flung lands. All of great value to fill up their documents but all of little relevance to Dublin Bay. In fairness it is stated once that little or no studies have been done on the creatures protected under the many Dublin Bay SAC's. Dublin Bay is horse shoe shaped to the West backing on to the land. To the East the bay is enclosed virtually by the Burford Bank that cuts off the Bay to a great extent from the Irish Sea. Just to the east of the planned inwards sloping dumpsite there is water only 5 meters deep. (See enclosed chart)

This means that anything dumped into the Bay stays in the Bay. It does not get carried off into the Irish Sea with the tide.

There is no discussion at all in the documents as to where in the Bay the dumped material would end up. Neither RPS nor DPC have any idea where the 10 Million tons magically disappears to. I can assure you that it does not go back uphill up over the Burford bank against the oncoming waves. No effort has been made to discover its resting place or maybe they do know and are keeping it back from us?



This chart shows the Burford Bank enclosing Dublin Bay blocking the escape of sediments and the extremely shallow waters of the Bay

THE NEED FOR THE PROJECT:

At the Oral hearing in Bord Pleanála it was stated that commercial ships have increased greatly in size over the last 20 years (more than doubled) and thus with a greater size and weight they need deeper water to float on. Dublin is not a natural port and is only usable by having a shipping channel dredged into the sea floor. That is not that unusual nor is maintaince dredging unusual to remove sand building up in the channel. But dumping in a shallow sea in waters as shallow as 12 m is very unusual. Also dumping in the knowledge that all the dumped materials come back into the Bay is extremely unusual.

The 11th largest cruise ship in the world has visited Dublin port this summer without any difficulty. The cruise business is the "poster boy" of the port business used for all the press releases. Dun Laoghaire port now lies completely empty devoid of all shipping and aesthetically would be a pleasant well serviced cruise port. Commercial shipping is the reason for the project, it appears Dublin port wants to have it all.

THIS IS PHASE ONE OF THE OVERALL PROJECT

The EPA should be aware that this project is only the thin end of the wedge. With the much larger ships as set out in the documents and with much greater numbers of containers to be offloaded in Dublin port another problem would arise on completion of this phase. Empty containers must be stored on the docks for loading onto ships; full containers must be stored on the docks waiting for trucks to pick up. The Port cannot expand towards the city to the west. It cannot expand to the South due to the ESB, the Sewage works and the Incinerator. The old chestnut is left to expand to the North towards Clontarf. So expect the push for land reclamation of the famous 52 Acres again. The groups that were set up who successfully prevented this reclamation would now have disappeared so the EPA might expect to be passing judgement on this landfill in the not too distant future.

THE NEW CHANNEL/FAIRWAY

To achieve a new 10m depth channel/fairway its planned to excavate the sea floor far out into Dublin Bay almost out to the Bailey Lighthouse. The channel/fairway would stretch for 11.32Km, all marine life on the sea floor along its length would be wiped out. RPS glosses over this and discusses at length the recovery of life on the new sea floor in the channel. All untrue of course, the greater depth would require greater maintenance dredging to keep it clear thus there would be a frequent wiping out of all life. All the discussion of recovery time is nonsense, all the Marine life killed stays dead, finished wiped out. They really mean re colonised for a short interval before being dredged again, all in an environmentally protected area?

It is amazing that the channel is excavated out so close to the dispersive dumpsite. One look at the next chart shows that the wrong dumpsite is selected. It is a well-known fact that any free material in Dublin bay ends up on or inside Bull Island (Bull Island is continuously building up and the channel behind it, is silting up). The start of the channel is directly between the dispersive dumpsite and Bull Island; it poses the question could such a channel ever be kept clear??



Chart of the planned project. The dispersive dumpsite (on right) will send the dumped material back in towards Bull Island across the planned excavated new channel!

Wrong dumpsite selected.

THE PLANNED DISPERSIVE DUMPSITE.

The planned dumpsite is only 3Km off the Bailey light in Howth in extremely shallow water. In our top Marine protected area a barge loaded with 3 to 5000 tons of mud, sand and silt would open its floor and bombs away the lot cascades down through the water killing every creature in mid water and killing all life on the sea floor. Again more nonsense in the EIS about recovery times.

The unfortunate Dolphin or Porpoise under the boat, the shoal of the fish, the poor lobster or crab trundling about on the Sea floor will not recover they are dead. The marine environment will start to recover until dumped on soon again. Imagine if we had no environmental protection at all in Dublin Bay? If this were allowed we have none .

Imagine the outcry if we had a similar situation on land. A plane flies up into the sky and drops 5,000 tons in an instant on the land below. All birds, butterflies and flying creatures in mid-air are killed. When the lot arrives on the land all rabbits, hares, frogs, hedgehogs flowers, plants and the like are annihilated. Then the wind blows all the sand and material in every direction coating the entire surface with the material.

Another example might be to compare here the Welford slob lands, an area with a lot of environmental protection also. So imagine digging out a 11.32Km Motorway about 3 meters deep down through it. Then take the excavated material and put it through a mincer to ensure everything is well killed. Now load all this material into a convoy of muck spreaders and spread it all over the Slobs. No one knows what kind of damage it would do or what it might kill, a perfect parallel example of what is planned for Dublin Bay.

RPS asks that best practise should not be followed in relation to the planned dumping. In an area (the dumpsite) known for foraging marine mammals all Barges should carry a Marine observer to look out for these animals on the surface. So best practise is to dump at sea only in good strong daylight and in winds no greater than force 4. Sensible rules as one cannot see in the dark and the waves over force 4 winds make it impossible to see animals on the surface.

To be allowed pursue lessor or poor practise they offer to put microphones in the sea floor to listen for such creatures. Who would be the responsible and independent person not aligned to Dublin Port Company listening 24/7 to them. Could the animals have a quiet day and make no sound. There would be multiple sources of noise from piling, dredging, commercial and pleasure traffic in the Bay. Would anybody know if the system was working? We cannot rely on this underwater electronic or the human factor to use them. This is a clear case of making the report fit around the works. It would not suit the project to follow best practise so lessor alternatives are offered.

INCREASED FLOODING RISK AT CLONTARF AND DOLLYMOUNT.

The report states that a deeper sea floor on the fairway would increase the wave height at Clontarf and Dollymount. The residents there experience sea flooding every few winters. The flooding occurs when spring tides together with strong easterly winds combine with large volumes of water emerging from the Liffey and the Tolka. The water level does not rise up to the floor level of the houses. The flooding is caused by the east wind driving the waves over the sea wall and across the main road into the houses. The increased wave height will make the problem worse and will flood houses not reached before. It must be asked of RPS has this detail been brought to the attention of D.C.C. who are currently designing marine defences for Clontarf. These defences could be inadequate if this work proceeded.

SILTING UP OF SUTTON CREEK AND THE BLUE LAGOON.

The area between the public roadway and Bull Island from Sutton to Clontarf is locally known as the Blue Lagoon and Sutton creek. This Lagoon is visibly silting up at an alarming rate and the local population are rightly concerned that soon the daily tides may not arrive into the lagoon at all. Many locals believed that the causeway down from Raheny was the cause of the silting up. DCC commissioned a study in 2012 to look at what improvement the breaching of the causeway would bring. The study concluded in 2013 that breaching the causeway would have no effect on the silting up at all. It's only now that we locals realise that the dumping just outside Bull Island is probably the main/chief cause of this silt build up.

I should note here that these mud flats are one of the most important winter feeding grounds for many species of native and migratory birds. It must be true to say that some of the heavily contaminated materials and probably a lot of the lesser contaminated materials would end up on these feeding grounds. The Lagoon is the end of the line in Dublin Bay it is calm enclosed water where silt can settle out to the floor bed. It's very possible that this massive volume planned to dump will close off the lagoon. What /who would tell the EU and UNESCO that the EPA allowed and licenced the dumping to proceed and destroy the protected winter feeding grounds.

DIVERS AND SWIMMERS:

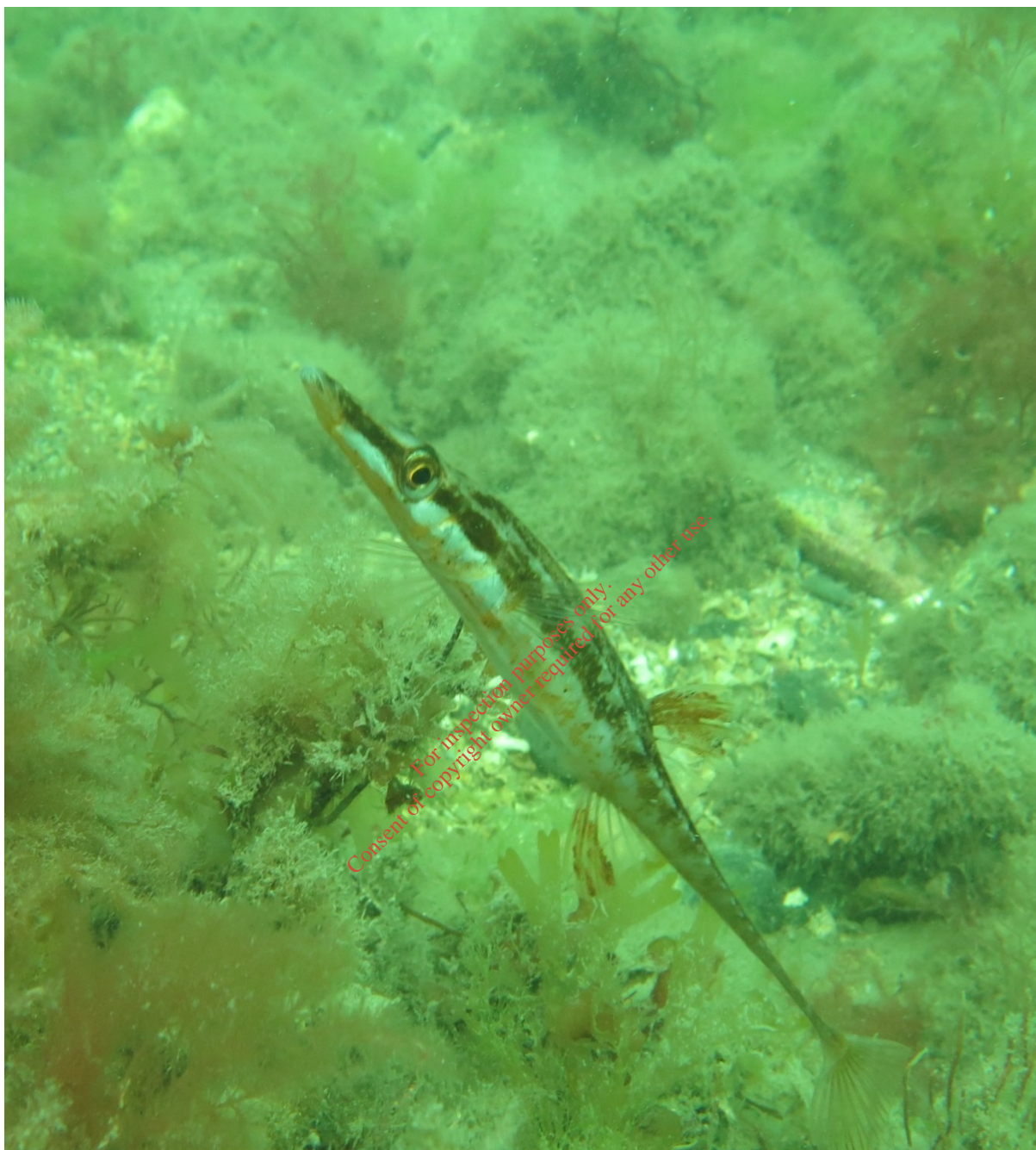
DPC and their UK Consultants RPS chose not to talk with or consult with either the divers or swimmers who use Dublin Bay on a daily basis. A regular diver in the Bay would spend the equivalent of a working week a year creeping around slowly on the sea bed there. We are best placed to speak about life in the Bay as we see it all regularly. We use cameras and torches and we explore every nook and cranny from the surface down to 30 meters.

The last dumping in Dublin Bay was in 2012 (1 Million tons) onto the same "dispersive" dumpsite. In 2013 the dumpsite was checked and 750,000 ton had left the site and only 250,000 tons remained. We know all about it we dived in it, the underwater visibility was really awful going as far as being dangerous for diving.

The photograph below taken in August 2013 the month we expect our best visibility and water clarity. That year the underwater visibility after the dumping was really terrible. The water was discoloured and there was a confetti life material "hanging" in the water.



Poor visibility in 2013 one year after the last dumping in Dublin bay.



2014. one year after the lobster photo above. The water has now cleared but the seaweed and the sea bottom is covered with grey fine silt.

Diving depends for safety on the buddy system. We dive in pairs and maintain in contact with our buddy for the duration of the dive.

Should we run out of air or have an equipment malfunction our buddy is trained to rescue us with their equipment or to take us to the surface. The visibility after dumping is so poor that we are unable to keep contact with our dive buddy and frequently separate from each other. We then must abort our dive and go up to the surface. There is always the problem of lost nets; these can be so fine that one can be caught up in them in low visibility before we spot them. One diver has died in Dublin bay in such an incident some years ago.

Following the 2012 dumping I observed flat fish dying in the Bay, at the time it did not register with me what might be occurring. I since have asked diving clubs if they have seen 4 particular species that were common but now are missing.

No one has reported seeing any flat fish (Plaice and Dabs were common) or Ling , conger Ell or Whelks. I cannot prove that the 2012 dumping killed them they are all bottom dwellers and they have disappeared. I suspect that the 2012 dumping killed them or changed the conditions to making the bay unsuitable for them.

To be allowed dump I think we should have proof that each and every species will not be killed or interfered with. Quoting Whales and Animals in the Baltic or Antarctic is of no value, this is Dublin bay that we are dealing with.

HEAVILY CONTAMINATED MATERIALS.

DPC want permission to excavate out heavily contaminated materials and use it as land fill under the new docking areas. When this material is being disturbed/excavated and raised up through the water column an amount of the contamination will leech into the water for sure. When the same material is placed on a barge sea water and contaminated material would leech out again for sure. When the same material is landed on the ground for treatment it again would for sure leech the contaminants into the sea. Once again the manner planned in dealing with this material is very far from best practise as it might not suit the project. If DPC or the EPA want to ensure that none of these contaminants leech out into the water column best practise should be followed. Best practise here would be close sheet pile the affected area pump out all the water and excavate in the dry, then all could be certain of removing the material properly using best practise.

LIGHTLY CONTAMINATED MATERIALS.

It is a special area of Conservation, it is a protected area. There should not even be a discussion about dumping any type of contaminated materials in Dublin bay. That may not suit the project sorry.

NOISE FROM THE SHEET PILING.

The plan is for two rigs to be sheet piling for 2 years. These are very large piles going down to -15m pounded continuously with a falling hammer of maybe 5 tons weight. On a calm frosty night it would be hell in Ringsend and probably over as far as Clontarf. Background noise will be virtually nil on such nights. Expect a lot of public controversy if this is allowed.

GREAT SOUTHERN WALL.

When the World's 11th largest cruise ship Splendida left Dublin port its wake almost swept many people watching on the sea wall out to sea. We are very lucky there was no loss of life (<http://www.thejournal.ie/splendida-wake-2100731-May2015/>) watch here.

Large commercial ships and cruise ships of this size would become the norm using Dublin port. H & S regulations would dictate one of two outcomes on this wall due to this wake.

1. Close off the Southern wall when all large ships enter and leave the Port
2. Raise the height of the wall by a few meters.

Of course they could do nothing and wait until someone is swept out to sea!

That is not the only problem here. This wall is a rubble wall made up of large granite rocks stacked/dumped on top of each other to eventually form a wall. The wall is topped with flat granite block to accommodate walkers who enjoy the seascape there. Today there are signs of movement and cracking on this wall and there are engineering tell tales fitted to check for this. There is much cracking and many problems already with this wall. This rubble wall is founded on sand and its load is distributed out at 60 degrees from its bases as with any foundation. There would be 2 effects on this wall should this project proceed.

1. By deepening the channel beside the wall the load/weight distribution of the wall goes out into the channel. The wall would be then be liable to end up in the channel.
2. The wake/wash from ships leaving and entering the port will loosen up the rubble wall and cause it to disintegrate.

ALTERNATIVES TO DUMPING.

This section is likely to have been written by someone sitting at a desk in Belfast. No effort whatsoever has been made to seek alternatives to dumping at sea. No dumping at sea is allowed until all alternatives are exhausted as far as I know. They appear to have made no approaches to anybody who might have an interest in this excavated material. It is very easy to type out a few lines and say there are no alternatives, I am not convinced that any efforts was made here at all. If one visits Holland it can be seen that such materials are put to good use. This material could form a new island say in Balcadden bay and could become a puffin colony burrowing their nests into the sand, it could be located under the sea cliffs where all could watch the birds. It could be used to make a larger sandy beach in Bray or in stony Greystones. It could be used to infill used quarries owned by Roadstone (see observation on application by DCC S0018-01). It could be use in areas of coastal erosion if a barrier to the sea was placed in front of it. DPC have not complied with the need to actively seek alternatives to dumping at sea.

In the [DaS Supporting Information 27-06-15](#) all the disturbance to the marine life of the Bay is discussed. The fish killed on the dumps site is called temporary disturbance.

The dump site is shown to be in use since 1996 and in the almost 20 years of its use a total of 9 Million tons have been dumped there. Now they propose to dump 10 Million tons over 6 years. This is totally different than anything done before in its volume and intensity and the outcome of this dumping is not known.

In this section it also discusses that the silt will be carried away by the Tide which is North South in this area. The ebbing South tide brings this material directly to Dalkey Island and the Mugglins the area where most of the bay diving is done. The filling North tide brings it directly into Howth harbour. (The water there went totally grey in 2012). It will have a major impact on sport due to its dispersal nature.

It would be virtually impossible to excavate such a huge area of Dublin bay and not to find an old wreck. Wrecks are everywhere in the Bay and the port entrance would be a very likely wreckage site. Should an old timber Viking ship be lying under the sea bed in the proposed channel I do not understand how it is proposed to spot this before destroying the wreck? Of course there are no recorded wrecks, what will certainly be found are unrecorded wrecks from a very long time ago.

I am amazed to read that the Salmon will just ignore all the dumping the water colour and clarity. They would bypass the dredgers, then by pass the 2 No pile driving hammers and run up the Liffey about their business, that is just not believable.

On page 48 I read the text below

“The disposal area is an active disposal site, and as such the benthic communities are adapted to periodic disturbance and contain communities in a continuous state of recovery. Full recovery at the site is not expected to occur until the full six year campaign is completed. The residual impacts associated with this campaign are considered to be moderate, but localised and typified by reduced diversity and biomass of benthic macroinvertebrates and to a lesser extent mobile epibenthos including crustaceans and fish.”

I read this to mean that all marine life on the dump site gets killed/ life is eliminated. That life cannot recover it's gone. It is not in any state of recovery that's lies. They mean re colonisation, this would not occur until at least 7 years when the site empties completely again.

The wiping out of all life in that area for 7 years with its environmental protection surely cannot be allowed. The area is either environmentally protected or it is not.

(There should also be rules in such an application to use language that is not designed to be vague and misleading)

On page 59 the Marine Mammal observer is discussed. They plan to cover all Piling dredging, demolition and dumping with such people. How many MMO's do they propose? There would need to be one on each dredger as they load up and go out to the dump site. One on each piling rig that's 4 and another one on demolitions so that 5 MMO's should they be serious about doing the job properly. I did not get that number from the text. When visual monitoring is not practical all work must stop or the whole process is just nonsense. There is every justification for limiting work to time that MMO's can ensure that protected species are not damaged by such operations

Page 60

“

Dumping of material at sea will not take place if a cetacean or seal is within 50m of the vessel.”

How can this be achieved dumping at night and in above force 4 wind, simply impossible?

Page 62 “ *Proposed Adjustments to Marine Mammal Mitigation Guidelines*”

This is a call to be allowed use least good practise in a sensitive environmentally protected area. I have discussed this earlier this simply should be thrown out. It would not stand up to a challenge at EU level either even if they got God to agree with it.

With all its protection everything done in Dublin bay must be to the highest standard and to best practise.

Page 65 “*Monitoring Programme Design*”

The locations are all in the river and as far away from dumpsite as they can be (11KM). There should be monitoring points directly north and directly south of the dumpsite and then the EPA will know exactly what the water quality in the bay is. Monitoring for the Toxic chemicals identified in the silts should also be done.

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