

[Redacted]

Subject: Submission in relation to Permit Number S0004-03
Attachments: Diving Ireland Submission_S0004_03.pdf

From: ndo@diving.ie [Redacted]
Sent: Monday 5 April 2021 16:44
To: Licensing Staff <L.Staff@epa.ie>
Cc: President - [Redacted] <president@diving.ie>
Subject: Submission in relation to Permit Number S0004-03

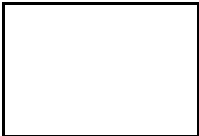
To whom it concerns,

Please find attached our submission in relation to the above referenced Dumping at Sea permit application currently being applied for by Dublin Port Company.

I would appreciate it if you could acknowledge receipt of this submission by return email. Please do not hesitate to contact me if there are any issues.

Regards

Paddy Lambe
National Diving Officer / National Coach



78A Patricks Street
Dun Laoghaire
County Dublin



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Environmental Licensing
Office of Environmental Sustainability
Environmental Protection Agency
PO. Box 3000
Johnston Castle Estate
Co Wexford

05 April 2021

Re: application code S0004-03 by Dublin Port Company

To Whom it Concerns,

Introduction

Diving Ireland is the national governing body for all recreational underwater sports in Ireland and was founded in 1963. Many of the sports we represent require good quality, marine environments with good visibility, including SCUBA and Snorkelling. We have an established network of approximately 70 affiliated clubs across the island of Ireland.

Currently approximately 40% of our membership reside in, and dive in Dublin Bay. Dublin Bay is a unique area that encompasses many protections and designations including;

- Dublin Bay Biosphere
- Rockabill to Dalkey Island Special Area of Conservation
- Howth Head Natural heritage Area
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- North Dublin Bay Proposed Natural Heritage Area



Board of Directors: Raymond Yeates (President), Rory Keane (Company Secretary), Paddy Lambe (Director), Martin Baillie Johnston (UK) (Director), Mary O' Donohoe (Director), Zachary Campbell (Director), John Mahon (Director), Maureen Brogan (Director), Catherine Dawdry (Director), Gerard Walsh (Director) Company limited by guarantee. Registered in Dublin, Ireland Company No.: 196745

- North Dublin Bay Special Area of Conservation
- North Bull Island Special Protection Area
- South Dublin Bay and River Tolka Estuary Special Protection Area
- South Dublin bay Proposed Natural Heritage Area
- South Dublin Bay Special Area of Conservation
- Annex I habitats and Annex II species
- The bay also consists of a number of historical shipwrecks many of which are protected due to their age (over 100 years old)

It is a relatively unique environment to have all of the above designations and protections so close to an EU capital city. A key objective of Diving Ireland is to promote and protect the marine environment around this island and we feel that Dublin Bay holds an important place in relation to our natural and marine heritage. As divers we are in a unique place when gauging improvements or more often a decrease in the quality of the underwater environment.

Recent Improvements in Dublin Bay

Diving Ireland acknowledge a vast amount of improvements in the recent past in relation to the water quality in Dublin Bay, much of which is as a result of establishing the Ringsend Waste Water Treatment Facility which allowed for better bathing and marine water quality throughout the bay. Since the establishment of the Ringsend Wastewater Treatment Facility in the early 2000s, our members have experienced a notable increase in the water quality and underwater visibility in Dublin Bay which continued until recent increased dredging and dumping in the Bay area.

Dredging and Dublin Port Company

Diving Ireland accepts that due to the history and geographical limitations, Dublin Port will require regular maintenance dredging to facilitate the operation of the port and we acknowledge the port as a strategic piece of infrastructure which supports Ireland economy. This submission seeks to highlight our frustration in relation to the manner in which Dublin Port Company has carried out dredging and dumping in recent years under licenses issued by the Environmental Protection Agency and a poor level of positive engagement with relevant organisations such as ourselves. Diving Ireland are of the view that the dumping



of dredge spoil in the bay is not compatible with the preservation of marine life in the bay nor is it compatible with maintaining the quality of water in the bay for both divers, snorkellers and other sea swimming groups. A key point we wish to raise is that this practice is outdated and is just not sustainable into the future. We would like to highlight that there is often reference in Dublin Ports documentation to the historic practice of dumping at sea in the bay, however we feel that this is not a reason to continue a practice which we consider to be unsustainable. The following sections outline our key concerns in relation to this application and indeed the practice of dumping within the bay area itself.

The Environmental Impact Assessment Report prepared by RPS identifies the impact of the offshore disposal site located west of the Burford Bank as being a moderate and negative impact expected to last up to 3 years beyond proposed dumping activities. Due to 3 year period beyond dumping we feel that continued dumping is not sustainable. Diving Ireland suggest that it is necessary to now begin phased plan which involves the de-classification of the site west of the Burford Bank as a dumping site and find an alternative site for the dumping of dredge spoils in the long term which brings dredge material well beyond the bay and away from designated areas. We feel that alternatives available to Dublin Port have not been properly assessed and have focused on economic impact as opposed to environmental impact. In line with the JAMP Assessment of Environmental Impact of Dumping of Waste at Sea, it would be prudent to not engage in a long term dumping at sea plan in a Bay that includes the list of designations and protections as outlined above and with a high level of recreational activity including SCUBA, snorkelling and sea swimming.

- **Our Proposal:** The Dublin Port company should be seeking a different dump site located outside the bay area at a reasonable distance so dredge material is not brought back into the bay by tidal influence or indeed consider the removal of dredge material for land application or dumping instead of a dumping at sea option. We expect this would need to be a longer term solution to the issue and have outlined a number of short to medium term solutions below. Future permit applications should provide a robust phased plan to reduce dumping in the bay and also highlight future dumping sites as the current practice of dumping is unsustainable.
- **Our Proposal:** Diving Ireland as the National Governing Body for underwater sports should be made a statutory consultee for all dumping at sea permit applications.



The JAMP Assessment of Environmental Impact of Dumping of Waste at Sea highlights that enhanced sedimentation and deposition of dredged sediment leads to the burial, smothering or crushing of the benthos. Most benthic organisms live in the top 10cm of the seabed and must maintain some connection to the sediment-water interface for ventilation and feeding. This connection is disturbed by excessive sediment deposition. This report goes on to say that the long term effects may be more severe as these communities are a major source of food for many other animals (including fish).

High turbidity as a result of dredging results in low levels of transmitted light and therefore negatively impacting light dependent organisms (e.g. phytoplankton). Our divers have observed a vast decrease in visibility which is directly linked to dumping times in Dublin Bay in recent years reducing light penetration at key dive sites located at the Muglins and Dalkey Islands.

Diving Ireland has had an exponential increase of reports of poor visibility conditions (often making diving impossible) and reports of a layer of sediment sitting on the sea anemones and other filter feeders. Similarly, lobsters and crabs have a coating on them that is very noticeable and is not consistent with the past or other locations in Ireland or internationally by our members. It is our observation that, the material being dumped by the dredger is being released at a rate that exceeds the capability of burrowing animals at the dump site to survive. When too much material is released the animals suffocate and the ecosystem that these animals inhabit suffer when components of a food chain are removed.

- **Proposed Condition:** We propose that the dumping of dredge material into the bay should in the long term cease as outlined in our initial solution above. In the short to medium term, however, the current rate of dumping should be reduced to a reasonable rate which ensure that the protection of marine life is maintained. We suggest that a condition is imposed on the licence which restricts the rate of dumping application and that independent verification is required on-board vessels to confirm this. This should be a condition of any permit issued.
- **Proposed Condition:** Diving Ireland recommend a regular and full evaluation of the marine life in key areas of the bay. This should include an underwater scientific assessment of the impacts of marine life by divers and should be independent of the licensee. We recommend that this ongoing monitoring be used to adjust dumping rates as appropriate. This requirement should be included as a condition of any permit issued



- **Proposed Condition:** Diving Ireland members are in a unique position to be able to report visual sightings of poor visibility and impacts on marine life using a citizen science approach. Diving Ireland recommend a public access database which collects information on marine life in the bay and visibility. This system should be funded by the applicant and be independently administered. It should be public access and information should be freely available. It should be able to host diver reports including location, depth, date and time, and give an option of uploading photographs of the impact observed. This should be a condition of any permit issued.
- **Proposed Condition:** The continued cycle of winter dumping permits followed by summer permits should cease to a short winter dumping season with Spring, Summer and Autumn being utilised as a recovery season with no dumping impact. We suggest that the EPA appropriately adjust the timeframes associated with dumping in any permit issued and review existing / ongoing permits to include the same condition.
- **Proposed Condition:** The applicant should be made to pay into a fund which provides for the protection and conservation of the marine environment within the Dublin Bay area. This should be a condition of any permit issued.

Disappointing Level of Consultation

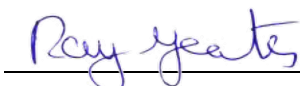
Diving Ireland, acknowledge that the port company have had various dumping plans, planning permissions and dumping permits over the years. At Diving Ireland, we feel that the level of consultation that the Dublin Port Company have engaged in with us has been less than adequate and indeed at times has been quite divisive. Divers and members of the public have raised concerns and made complaints directly to your licensee Dublin Port Company is not engaging in any meaningful way with the Diving and snorkelling community in the Dublin Bay area. As a key, national organisation with a unique perspective of the underwater environment and a vested interest, we feel that the level of consultation with Diving Ireland in relation to the matters associated with dumping at sea should be increased. Our divers are in a unique position to see the real effects of this dumping in what we consider to be a significant natural and beautiful resource for all the residents of Dublin Bay .



- **Proposed Condition:** Diving Ireland propose that the Dublin Port Company must engage properly with local stakeholders and relevant organisations in the Bay area. We propose that a stakeholder engagement officer is established in the Port Company to deal with issues and queries as well as a required minimum number of public consultation open days and a drop in-centre established. The Port company should engage with relevant organisations early and often in relation to the schedule of dumping and the change of any dumping plans into the future. We feel that community members who have access to the underwater world are key to such consultation and therefore, Diving Ireland should be one of these organisations and this should be a condition of any permit issued. We also propose that a condition is entered into the permit that requires Dublin Port, before each dumping event, to notify a representative from relevant organisations such as Diving Ireland within a reasonable timeframe of at least 1 week, outline their dumping plans and offer a means of supervision at the dump site to Diving Ireland. We also propose that there is a robust complaints, investigation and mitigation condition inserted into the permit.

Yours Sincerely

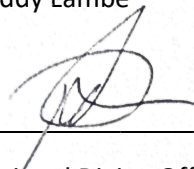
Ray Yeates



President

Diving Ireland

Paddy Lambe



National Diving Officer

Diving Ireland

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