

Eve O'Sullivan

Subject: Ref Licence S0012-03
Attachments: S0012-03v2.docx; NPWS.pdf; Dredgingmaps2022.pdf

From: Pat Moran [REDACTED]
Sent: Sunday 5 June 2022 20:35
To: Licensing Staff <licensing@epa.ie>
Subject: Ref Licence S0012-03

To whom it may concern

Dear Sir or Madam

I previously sent you an email on 03/06/22.

On further reflection there now appears to be legal deficiencies within the planning, licensing across all AA, NIS and EIS's on account of the EPA's and Planning Authorities position. I have highlighted this position in a second NIS for S0012-03 Technical Amendment. Please find the attached below with missing maps from the S0012-04 as supporting material.

I would like this e mail to be on the S0012-03 file

Regards

Pat Moran

Pat Moran

05/06/22

Ref – Licence S0012-03

Dear Sir/ Madam

As referenced in your e mail dated the 3rd of June in regards to the 2nd NIS connected to the Technical Amendment S0012-03 the 6th of June is referred to as the submission deadline. I would like to include a further submission as regards the Technical Amendment on the NIS for that Technical Amendment.

The Technical Amendment application has two NIS's within in it with apparent gaps in them. These gaps go to the principal core as regards protection of the SAC and the Shellfish Designated Waters. How long has the Licence been operating without the information to access the potential damage to the SAC and the Shellfish Designated Waters. In the NIS "Description of Activity" page 7- 8 this description does not correspond with either what is or has been happening as regards Plough Dredging and neither does it correspond to the Dredging activities that are being applied for. The NIS also has further gaps that stand out, one example is the 30 square kilometres of Shellfish Designated Waters in the Waterford Estuary that has been left out altogether. NPWS map shows the area included.

"Maintenance Dredging" started out as meaning one thing and as a result of Technical Amendments and Reviews the "Maintenance Dredging" now means something completely different altogether carried out by Plough Dredging without the relevant NIS, Surveys and Modelling.

The EPA's position of change the depth and change the Dredging to Dredging and Dumping in various sites, the effects remain the same so the same NIS can be used and the process referred to as Maintenance Dredging covers the Port for any depth if it should be required. Therefore 20metres – 7 metres or 3.5metres now all create the same effect.

The 2nd NIS connected to the Technical Amendment application is the NIS for the Pontoon for Cheekpoint Harbour. In connection to this NIS for the Pontoon the EPA stated their position to me in their e mail dated 03/06/22. I replied stating their reply posed serious questions for the protection in Irish law and EU law and directives in regard to Planning and Licensing giving no protection to the Environment, SAC, Natura sites and Shellfish Designated Waters. The serious legal questions need to be addressed by the Minister/ Department of Justice, the Attorney General and the

Garda Commissioner given that I believe that the Garda have already been involved at the Pontoon site.

I have requested my reply to the EPA to be put on file S0012-03

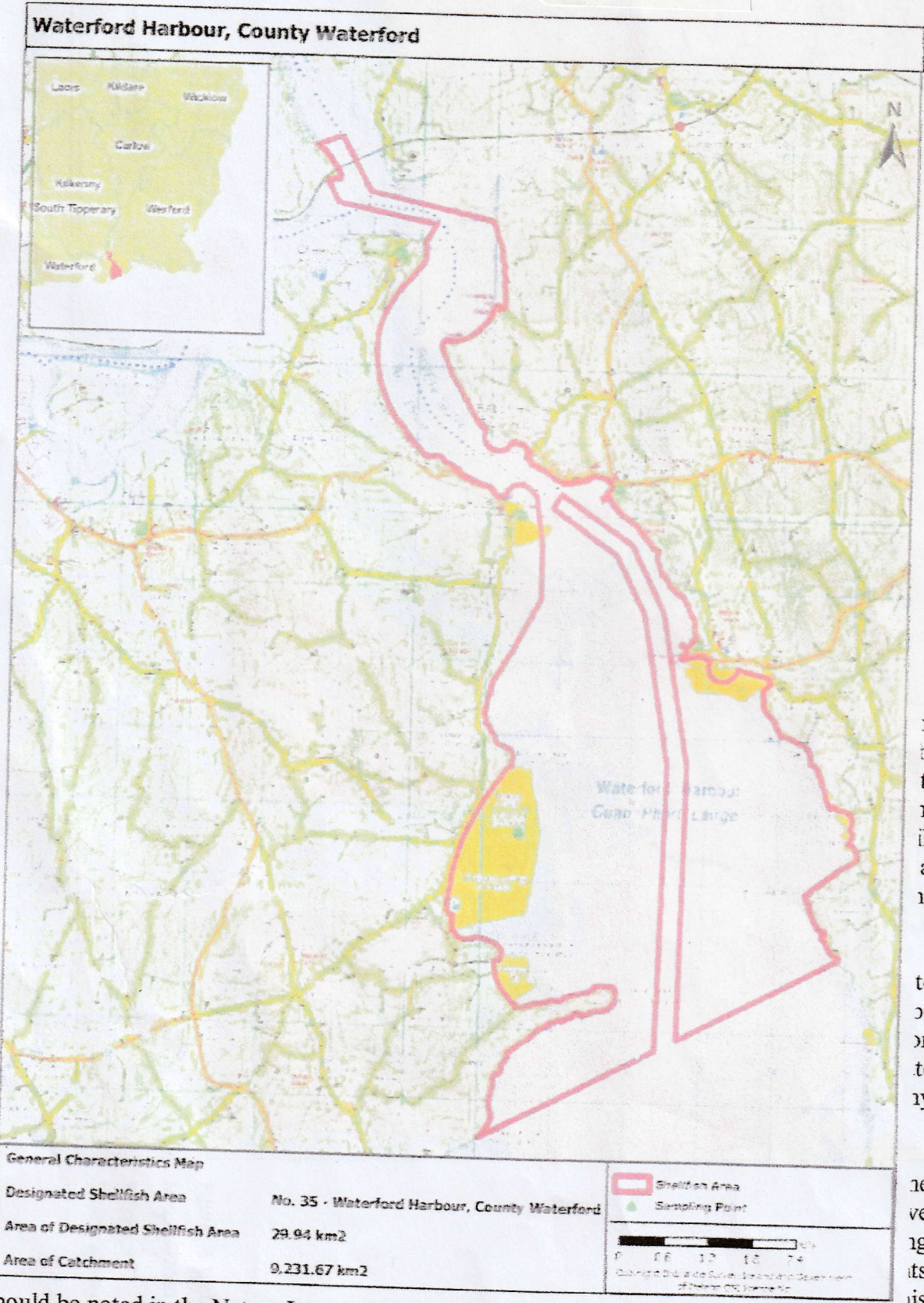
On account of the statutory authorities not requiring Planning and Licensing applications to comply with AA, NIS and EIS, there is now Pollution and massive changes on the ground and to the ground environment and SAC Natura site and the Shellfish designated waters in the Waterford estuary.

Waterford Estuary can best be described as a quagmire of pollution and slop with many questions that the Garda or and the High Court need to provide answers as Departments and Statutory Authorities are not providing the answers that comply with EU directives, Irish and European laws they are required to comply with.

Yours sincerely

Pat Moran

MAP 1 - Designated shellfish area



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should be noted in the Natura Impact Statement in the project description.

Article 6(3) of Council Directive 92/43/EC (*the Habitats Directive*) states that "Any plan or project not directly connected with or necessary to the management of the [Natura] site but likely to have a significant effect thereon, either directly or indirectly, shall be subject to a special assessment of its implications for the site in view of its special natural conservation value."

PORT OF WATERFORD MASTERPLAN 2020/2044.

10 Development proposals

The options considered for port development are shown in the Figure below.

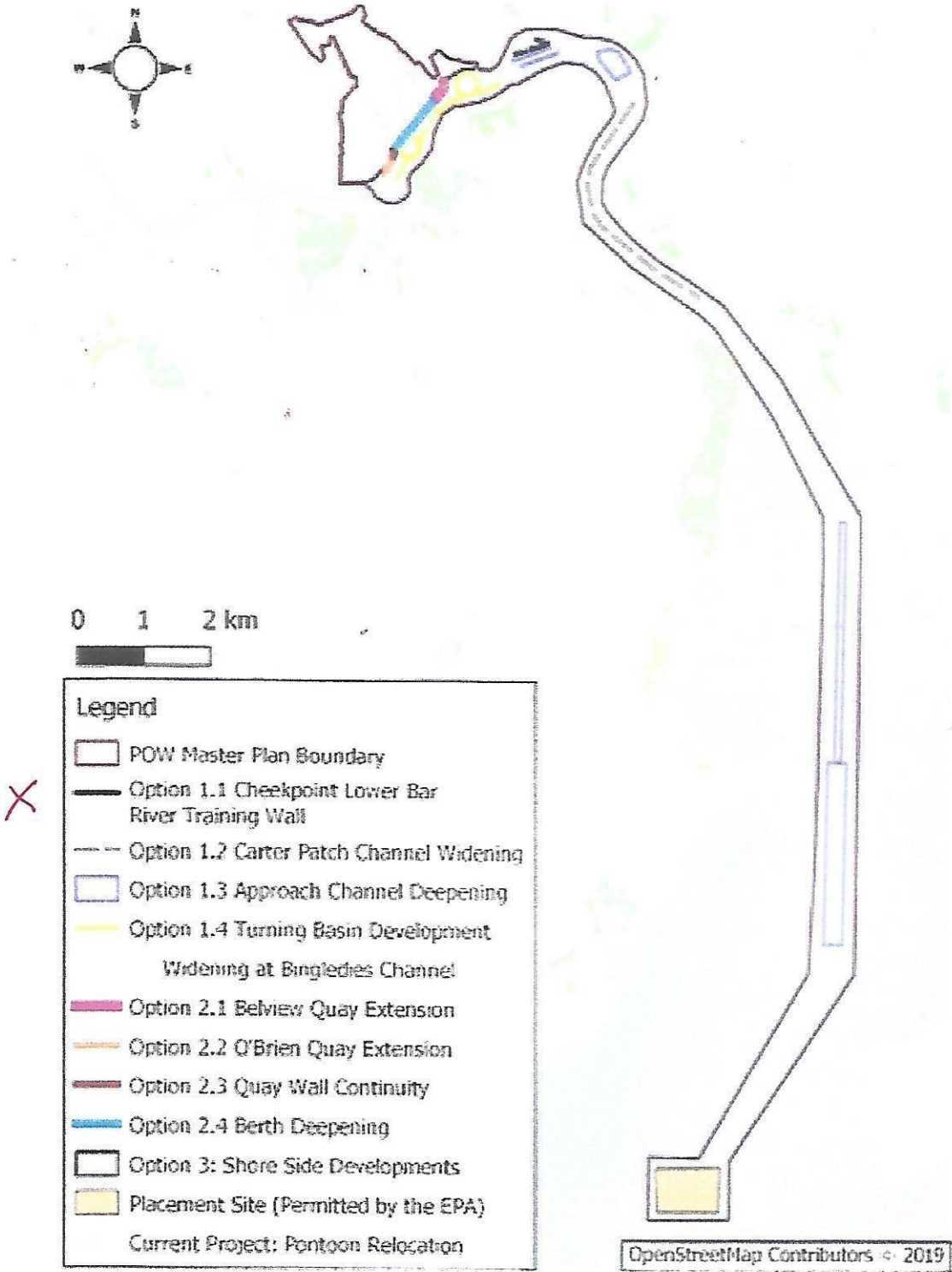


Figure 8: Current and proposed development projects for review

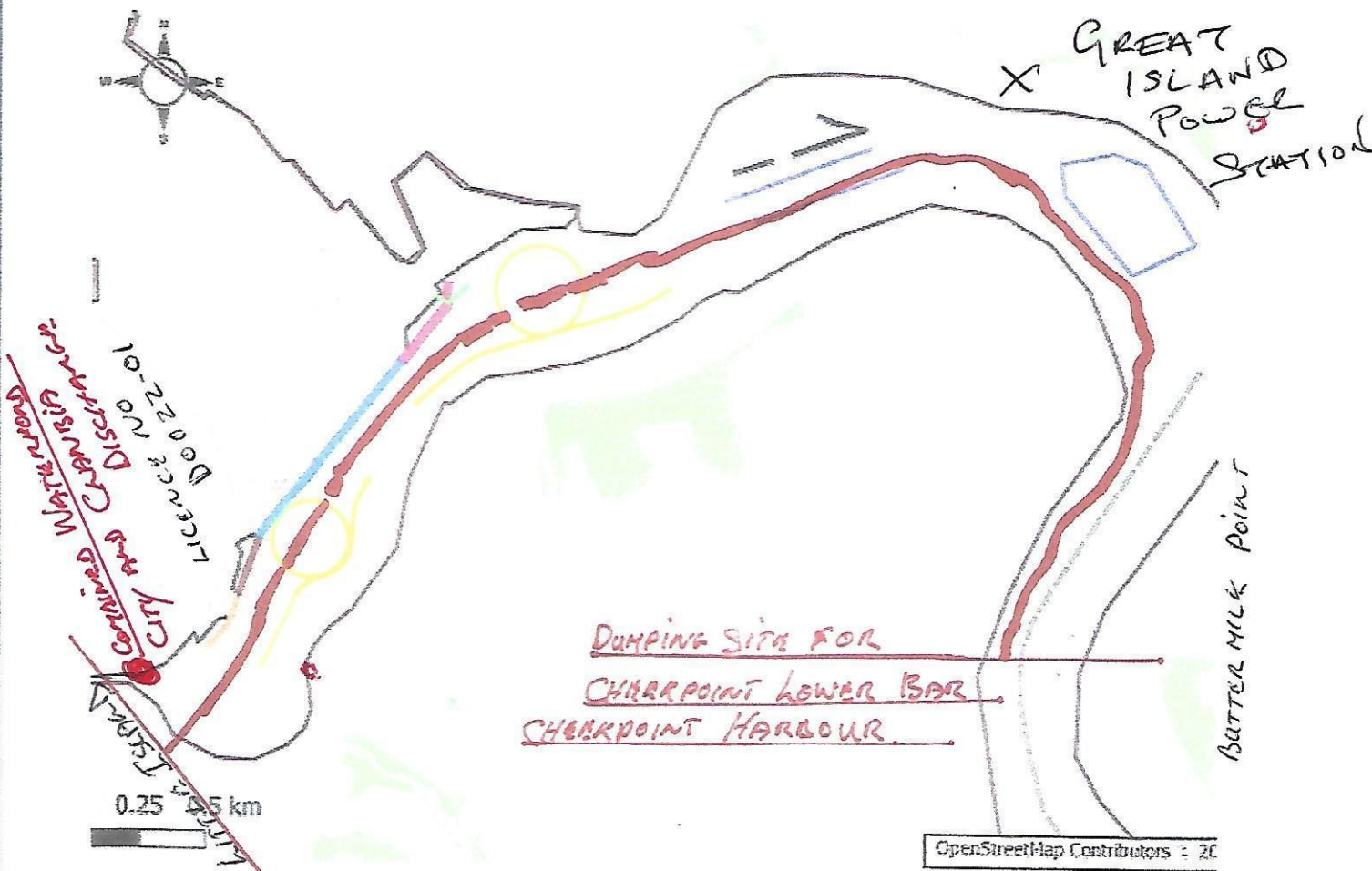


Figure 9 Details of proposed Masterplan Projects at Belview

10.1 Options to minimise maintenance dredging and improve marine access

Option 1.1 - Cheekpoint Lower Bar River Training Wall

This will help to minimise future maintenance dredging requirements by controlling and reducing sedimentation. The project envisages the construction of two lengths of sheet piled training wall, one a vee shaped wall approximately 495m long and the other a straight wall 130m long. The proposed layout of the sheet piled training walls is shown in Figure 10 below and a photomontage of the proposed sheet piled walls at low and high tide is shown in Figure 11 A and B.

FIG 2

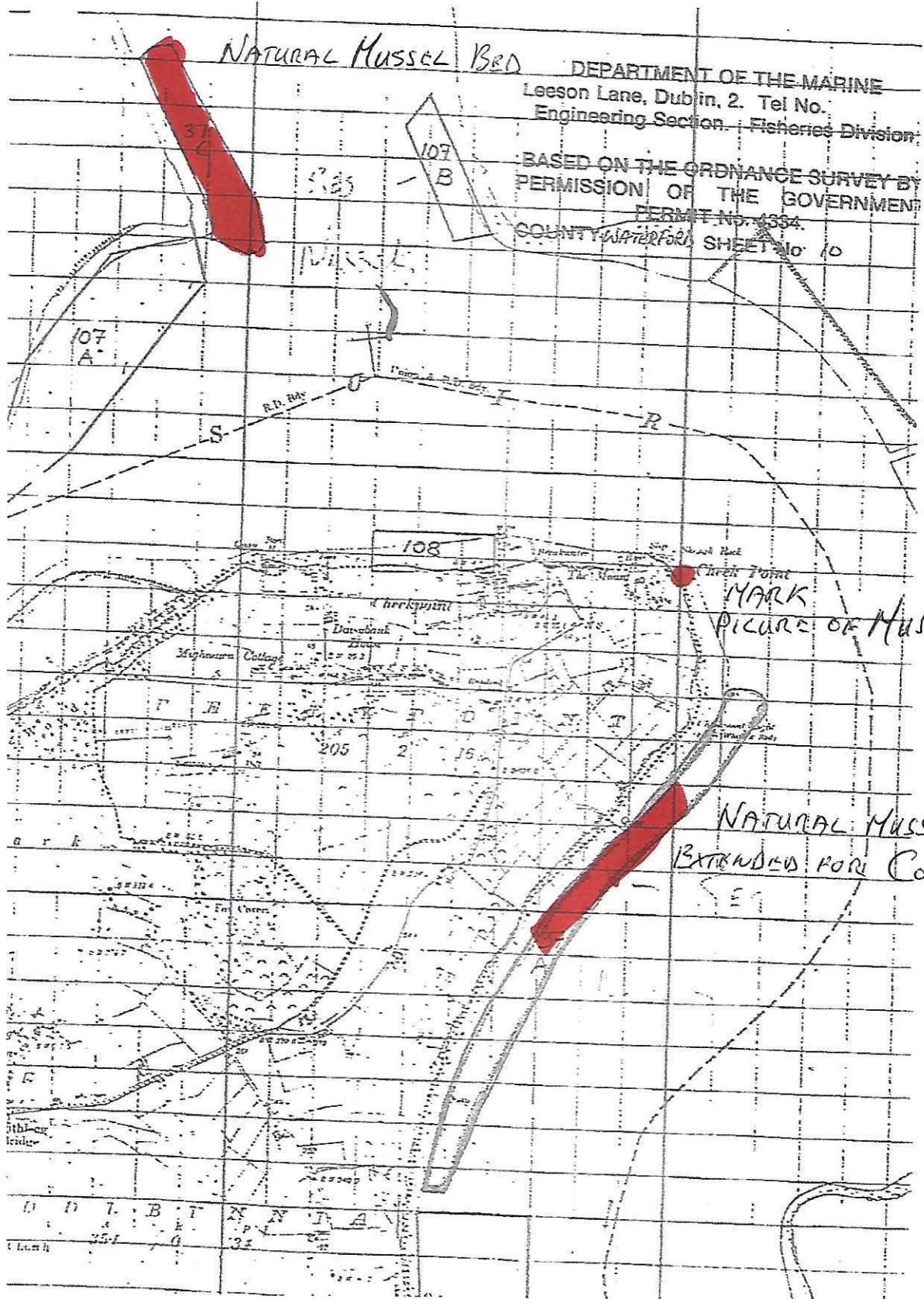
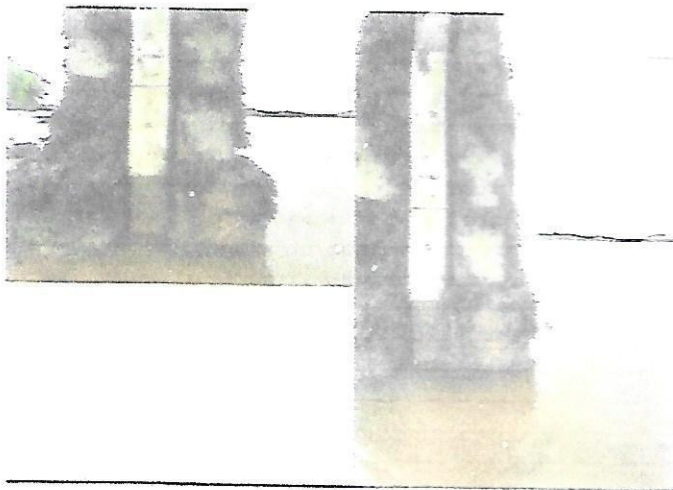


FIG 1



2015 ← MUSSELS.



2020 NO MUSSELS W.

**Evidence of Changes to Marine Environment
(Shellfish Dieback) at Cheekpoint**