

## Eve O'Sullivan

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**From:** Licensing Staff  
**Subject:** S0037-01 Wicklow County Council - Dumping at Sea Application

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**From:** Housing Fem Dau <Fem.Dau@npws.gov.ie>  
**Sent:** Friday, June 7, 2024 2:19 PM  
**To:** Licensing Staff <licensing@epa.ie>  
**Subject:** RE: S0037-01 Wicklow County Council - Dumping at Sea Application

Ref No: S0037-01

A Chara,

Please find below the nature conservation recommendations on the above referral.

Wicklow County Council seeks to dredge the navigation channel, turning basin and berthing pockets in order to maintain the depths needed for the safe navigation of vessels to and from Wicklow Port. The desired navigational level to be maintained is 3.6 m below Chart Datum (CD) at Packet Quay, East Pier and Southern Quay. The level to be maintained at North Quay is 3.0 m below CD and 2.0 m below CD at Leitrim River. It is thus proposing an Eight Year Maintenance Dredging programme between 2025 and 2032. A site located approximately 20km to the southwest of Wicklow Harbour and approximately located 0.4 km offshore from Arklow, has been identified for disposal at sea of the dredged material. Wicklow County Council plan to dredge using equipment including a small Trailing Suction Hopper Dredger, Back Hoe Dredger, Plough Dredging and Water Injection Dredging. For disposal, dredgers usually have doors in the hull to empty the dredged material by splitting the doors in two halves and opening on hydraulic hinges, where the dredged material is discharged through bottom doors at the selected location.

As part of the application the proponents have furnished a NIS screening document. This indicates that the potential impact from the proposed development included:

- Physical disturbance to marine benthic communities
- Visual and noise disturbance to birds
- Disturbance from vibration and underwater noise
- Injury due to collision with dredging vessels
- Pollution event

A very wide range of habitats and species were considered in the potential impacts. An extensive list of conservation sites were considered as potential locations of interaction. In undertaking a screening determination relating to the nature of the proposed works, where the effects on their receiving environment will be very localised, and where there is a lack of direct connections with regard to the Source-Pathway-Receptor model, it was therefore concluded that the proposed development, individually or in-combination with other projects or plans, was not likely to have a significant effect on any Special Area of Conservation or Special Protection Area, or their designated features or species of interest in view of the site's conservation objectives.

In respect of Annex IV species which may be subject of disturbance from the proposed activities the proponents developed an assessment document that concluded that the proposed site dredging and disposal activities will not result in the committing of any offence under Article 12 of the Habitats Directive towards any of the species listed in Annex IV of the Habitats Directive that are likely to occur within the dredging and disposal areas and have been considered in this report.

### **Marine Science and Biodiversity for internal NPWS usage**

- The proposed development would not occur within any currently designated Natura sites. It is close to a wide range of potential sites.
- The proposed development has been considered not to have a likely significant effect on any Natura sites and it has been determined that there is no requirement for a full AA or NIS by the applicants. This is supported by the published information.
- The potential interaction with marine mammals from the proposed development is considered in an Annex IV risk assessment document. This document concluded that there was no risk from the proposed development. On a precautionary basis the proponents should be requested to apply NPWS guidance on noise in the marine environment as a condition of consent.

### **Marine Science and Biodiversity Recommendation for external communication**

The proposed survey works at and around Wicklow Port has been evaluated by a Natura Impact screening document. The conclusion of the document to support the decision on Article 6(3) is that the proposed works are unlikely to pose a significant likely risk to nature conservation interests. This conclusion is supported by the available evidence.

The proposed activities are also evaluated in an Annex IV species risk assessment. This concluded that the proposed site dredging and disposal activities will not result in the committing of any offence under Article 12 of the Habitats Directive towards any of the species listed in Annex IV of the Habitats Directive that are likely to occur within the dredging and disposal areas and have been considered in this report.

It is advised that the applicant should seek a Regulation 54 consent under the European Communities (Birds and Natural Habitats) Regulations (SI 477 of 2011). Details of the application process are available from the NPWS website.

Regards  
Diarmuid

**Diarmuid Buttimer**  
*Executive Officer*

**An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta**  
**Department of Housing, Local Government and Heritage**  
**Aonad na nIarratas ar Fhorbairt**  
*Development Applications Unit*

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