REPORT OF THE MARINE LICENCE VETTING COMMITTEE (MLVC)

on

FORESHORE LICENCE APPLICATION FOR MAINTENANCE DREDGING AT MAGHERAROARTY HARBOUR, CO DONEGAL

by

DONEGAL COUNTY COUNCIL

Dr. Terry McMahon
Chair, Marine Licence Vetting Committee
20 March 2014
Donegal County Council – Foreshore Licence Application for maintenance dredging at Magheraroarty Harbour, Co. Donegal (MS51/15/693)

Background

In April 2013 Donegal County Council submitted an application for a 5-year Foreshore Permit to facilitate maintenance dredging at Magheraroarty Harbour, in northwest Donegal.

The reason for the proposed dredging is to remove sand which is accreting in the area in order to ensure safe navigation depths within the harbour area.

It is proposed to undertake annual maintenance dredging of Magheraroarty Harbour in order to maintain navigable depths at -2.5m for the continued use of the harbour by the Tory Island ferry, commercial fishing boats and charter boats in the local area. It is anticipated that a maximum of 20,000 tonnes annually would be dredged. The works also comprise the beneficial reuse of the dredged material for beach nourishment. This will be carried out by the placement of the material, which is clean sand, from the area of accretion at Magheraroarty Harbour to an intertidal area on Dooey strand which suffers erosion from wave and wind action and longshore drift. The area of the Harbour to be dredged, incorporating turning circle and berthing pockets is indicated on Drawing No 121063/SK/03 and covers an area of app 8500m2(0.85ha). The location for the beach nourishment is on Dooey Strand and is illustrated on Drawing No 121063/SK/04, incorporating an intertidal area of app 7.3ha.

This activity was previously licenced by the then Department of Agriculture, Fisheries and Food under a Dumping at Sea Permit (Loading and Dumping Permit No 389) which covered the period March 2008 to March 2013. In view of the fact that it is intended to re-use the material beneficially for beach nourishment rather than deliberately dispose of the material at sea it is considered that a Foreshore Licence rather than a Dumping at Sea permit is required for this activity.

Two methods for undertaking the dredging and beach nourishment scheme have been proposed:

Method 1 Land Based
The removal of sand from harbour by 360’’ tracked excavator, loaded onto dump trucks and transported along foreshore during low and mid tide to the beach nourishment site. The material will be spread as evenly as possible to avoid any high points. Previous campaigns have demonstrated that the deposited sand is naturally levelled by tidal action with material dispersing on the incoming and outgoing tides. Walkers are channelled along the upper side of the beach by use of physical barriers. The dump trucks have a designated route along the foreshore which is marked out and the sand dunes are unaffected by the works.
Method 2 Marine Based
The removal of sand from the harbour by long reach excavator on a barge and transport of the material to the beach nourishment site on Dooey strand during high tide and either pumped or placed in the intertidal zone.

Method 1 was used previously but depending on future Contractor appointments Method 2 may also be used which would eliminate the need for dump trucks traversing the foreshore at low tides.

It is anticipated that the works will continue to be carried out annually during March/April. This is considered the optimum time to remove material deposited from winter storm events, and ensure navigable depths are reinstated for the busy summer season. Based on previous campaigns, it is anticipated that it will take one shift to remove approximately 2000 tonnes of sand from the harbour and deposit it on the foreshore. Therefore it is anticipated that each annual campaign should not take longer than 10 shifts to complete (a shift equates to tidal work during 1 No 24hr day). Shifts may not be successive due to tidal and weather constraints at the time of the works.

The proposed works are not of a class that would require the submission of an Environmental Impact Statement.

Natura 2000 designation

The proposed dredging and beach nourishment will take place within the Ballyness Bay SAC (Site Code 001090) and Falcarragh to Meenlaragh SPA (Site Code 004149) and a separate Appropriate Assessment Screening has been conducted which concluded that the proposed works on the foreshore would not have a significant adverse effect on the Conservation Objectives of the Natura 2000 sites.

Public Consultation

A public notice concerning this application was published in the “Donegal News” on 20th January 2014. The relevant documents were on display at Milford Garda Station, Main Street, Milford, Co. Donegal for a period of 21 working days, and also available on the Department’s website.

No submissions were received

MLVC Assessment

The following documents were considered and assessed
• Completed Foreshore Licence Application dated 18/4/2003 and associated Appendices as follows:
  
  o Appendix 1 Site Location Plan (Drawing No 121063/SK/01)
  o Appendix 2 Extent of Dredging and Beach Nourishment Works (Drawing No 121063/SK/03 and Drawing No 121063/SK/04)
  o Appendix 3 Stage 1 Screening Appropriate Assessment dated April 2013 and correspondence with NPWS
  o Appendix 4 Existing Dumping at Sea Permit No 389(DAFF) and reassigned Reg No S0014-01(EPA) and Letter of extension from EPA dated 8th November 2012
  o Appendix 5 Sediment Sampling and Analysis
  o Appendix 6 Photographs
  o Appendix 7 EPA Site Inspection Report dated 10th September 2012

• Written submissions from the Marine Institute, Department of the Environment, Community and Local Government ECLG (Engineering), Inland Fisheries Ireland, Department of Arts, Heritage and the Gaeltacht (Nature Conservation, Underwater Archaeology)

No objections to a permit being issued were raised

Given the nature, scale and duration of the works it is considered that they will not have a significant impact on the marine environment or on designated European Sites and it is recommended that a 5-year permit be issued.

It is recommended that the following specific conditions be included in any permit that may issue.

**Recommended Licence Conditions**

1. The Licensee shall use that part of the Foreshore the subject matter of this licence for the purposes as outlined in the application and for no other purposes whatsoever.

2. The Licensee shall notify the Department of the Environment, Heritage and Local Government at least 14 days in advance of the commencement of the works on the foreshore.
3. This licence permits the dredging of a maximum of 20000 tonnes annually, for a period of 5-years, of dredged spoil from Magheraroarty Harbour using a rubber tyred or tracked excavator. The material shall be placed in a tipper lorry and then transported along the beach at low tide to the agreed disposal site on Dooey Strand. Alternatively the material shall be removed from the harbour by a long reach excavator on a barge and transported during high tide for pump ashore or placement in the intertidal zone at the agreed site on Dooey Strand.

4. During the course of the works the working area shall be secured from unauthorised public access or encroachment by means of suitable barriers and signage and the applicant shall comply with all relevant safety legislation in this regard.

5. During the course of the works public access onto and along the adjacent foreshore shall be maintained.

6. No refuelling of equipment, machinery or plant shall take place on the foreshore.

7. No storage of machinery or plant shall take place on the foreshore.

8. Appropriate methods of operation shall be adopted to ensure that no spillages of fuel or other leakages occur during the works.

9. The Licensee shall furnish the names/registered number of all vessels involved in the operation to the Marine Survey Office in Dublin to ensure compliance with respect to Irish Load line and other relevant vessel certification.

10. The Licensee shall keep and maintain in the State for inspection on demand by the Minister, records of all dredging operations, including quantities of material dredged and placed at the agreed site on Dooey Strand. These records shall be produced by the Licensee on demand by the Minister and in any event not later than 24 hours from the making of that demand.

11. The Licensee shall ensure that the material is spread evenly and as thinly as possible at the agreed site on Dooey Strand. and in any event spread at a depth of less than 300 mm with well graded sides. Signage explaining the activity shall be provided and additional safety signage shall be erected while work is ongoing.

12. Members of the public shall be protected at all times during the course of the works and the Licensee shall give due consideration to closing the pier during the dredging operation.

13. The Licensee shall arrange the publication of a Marine Notice through the Maritime Safety Directorate giving general description of operations and approximate dates of commencement and completion.