FS007027 IW Whitegate 2022 Prescribed Bodies Consultation Received Observations

01	**Marine Advisor (Engineering)**	**p. 2**
02	**Marine Advisor (Environment)**	**p. 3**
03	**Underwater Archaelogy & NPWS**	**p. 4**
04	**DAFM**	**p. 5**
05	**Marine Survey Office**	**p. 6**
06	**Marine Institute**	**p. 7**
07	**Inland Fisheries Ireland**	**p. 8**
08	**Sea Fisheries Protection Agency**	**p. 9**
09	**Environmental Protection Agency**	**p. 10**

From: [redacted] (Housing)
Sent: Wednesday 30 November 2022 15:00
To: [redacted] (Housing)
Subject: FW: Request for Observations FS007027 Irish Water Whitegate to Aghada

[redacted]
No further observations to make
[redacted]

Regards
[redacted] M.Eng. M.I.E.I.,
Marine Advisor and Engineering Inspector.

National & Regional Planning Policy,
Department of Housing, Local Government & Heritage,
Oak House,
Mahon Industrial Estate,
Bessboro Road,
Mahon,
Cork.
T12 D6CH
Mob [redacted]

From: [redacted]
Sent: Wednesday 30 November 2022 11:57
To: [redacted]
Subject: FW: Request for Observations FS007027 Irish Water Whitegate to Aghada

Dear All,

This Department received an application under the Foreshore Acts (as amended) for the above-named project, for which you kindly provided observations on in 2021.

As part of the assessment of the foreshore licence application, the Minister has determined, in accordance with Regulation 42(6) of the European Communities (Birds and Natural Habitats) Regulations 2011, that an Appropriate Assessment is required in respect of the proposed plan or project. Details of all documents considered by the Minister in his determination, can be accessed on the Foreshore Notice webpage for this application: https://www.gov.ie/en/consultation/a9c85-fs007027-irish-water-whitegate-at-aghada/

The Minister will make a determination as to whether or not the proposed plan or project would adversely affect the integrity of a European site in accordance with Regulation 42(11) of the European Communities (Birds and Natural Habitats) Regulations 2011 and, in doing so, shall have regard to the matters in Regulation 42(12). A further public consultation will therefore take place in accordance with Regulation 42(13).

In accordance with the requirement as set out in Statutory Instrument 353/2011 – Foreshore Regulations 2011, please forward your observations on Appropriate Assessment as soon as possible, but not later than 16th November 2022. Please include in your observations details of other developments, plans or projects that may, in conjunction with this application, have a cumulative effect on a Natura 2000 site. If you wish to add no further comment or observations, please reply as soon as possible to that effect.

All correspondence in relation to this application should be forwarded by e-mail to Foreshore@housing.gov.ie and cc [redacted]

Kind regards

An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreachta
Department of Housing,
Local Government and Heritage

[redacted]
Foreshore Unit,
Department of the Housing, Local Government and Heritage,
Newtown Road,
Co. Wexford
14th of November 2022

Prescribed Bodies Second Consultation - Environmental Report

Re: FS007027 - The laying of a marine outfall on the Foreshore to convey treated effluent from the proposed Whitegate & Aghada Wastewater Treatment Plant to be discharged in White Bay, Co. Cork.

Applicant: Irish Water

Dear [redacted]

Your email of the 19th of October 2022 refers to this licence application for the laying of a marine outfall on the Foreshore to convey treated effluent from the proposed Whitegate & Aghada Wastewater Treatment Plant to be discharged in White Bay, Co. Cork.

The works overlap with Cork Harbour SPA [IE004030]. This site is of major ornithological significance, being of international importance both for the total numbers of wintering birds (i.e. > 20,000) and also for its populations of Black-tailed Godwit and Redshank. In addition, it supports nationally important wintering populations of 22 species, as well as a nationally important breeding colony of Common Tern. Several of the species which occur regularly are listed on Annex I of the E.U. Birds Directive.

As you will note from my Screening Stage Report Environmental Report of the 25th of May 2022 I agreed with and accepted the outcome of the IEC's review of the environmental reports associated with this application.

I have no objection to this application and on completion of the IEC's work on this second consultation I will provide my final report with determinations which may include site specific conditions having regard to the information obtained during public participation.

[redacted]

[redacted]
Marine Advisor, Environment.

From: Housing Fem Dau
Sent: Tuesday 22 November 2022 17:13
To: [redacted] (Housing)
Cc: Housing Foreshore
Subject: RE: Request for Observations FS007027 Irish Water Whitegate at Aghada

Good evening [redacted]

Further to the observations provided in 2021- in relation to Foreshore Application for the construction of Waste Water Collection and Treatment System for the combined Villages of Whitegate and Aghada, County Cork - there are no additional Underwater Archaeological nor Nature Conservation (NPWS) comments to be made

Regards

[redacted]

[redacted]

Executive Officer

—

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

Oifigí an Rialtais
Government Offices
Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman, Y35 AP90
Newtown Road, Wexford, County Wexford, Y35 AP90

—

www.tithiocht.gov.ie
www.housing.gov.ie

An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreachta
Department of Housing,
Local Government and Heritage

From: Foreshore Licensing <foreshore.licensing@bim.ie>
Sent: Thursday 24 November 2022 16:03
To: [redacted]
Cc:

Subject: RE: Our Ref: FW.8.79 Irish Water Whitegate at Aghada construction of wastewater collection and treatment system
Attachments: Aquamis snip Cork Harbour.png

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Dear [redacted]

Although there are no fisheries subjected to a Fisheries Natura Plan in the area of the proposed application there is however considerable fishing activity in the area especially potting for velvet and spider crabs. In addition there is an active Oyster Fishery order in the area of the proposed application, T05/0020F0 licenced to Atlantic Shellfish (see attached). It is BIM's view that an Appropriate Assessment would need to take account of "in combination effects" that the proposed works would have on Natura 2000 sites covered by the area of this application.

Kind regards,

[redacted]

From: [redacted]
Sent: 19 October 2022 16:45
[redacted]
Subject: Our Ref: FW.8.79 Irish Water Whitegate at Aghada construction of wastewater collection and treatment system

Our Ref: FW.8.79 Irish Water Whitegate at Aghada - construction of wastewater collection and treatment system
DHLGH Ref: FS006835

Dear All,

This application was previously circulated to you and observations were returned to DHLGH from this Department in 2021.

As part of the assessment of the foreshore licence application, DHLGH has determined, in accordance with Regulation 42(6) of the European Communities (Birds and Natural Habitats) Regulations 2011, that an Appropriate Assessment is required in respect of the proposed plan or project.

The application can be viewed on the following link:

www.gov.ie/en/consultation/a9c85-fs007027-irish-water-whitegate-at-aghada/

As usual this Department's observations will be confined to aquaculture/ sea fisheries and fisheries harbours.

From: [redacted]
Sent: Friday 21 October 2022 10:33
To: Housing Foreshore
Cc: [redacted]
Subject: Request for Observations FS007027 Irish Water Whitegate at Aghada

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Good day [redacted]

After careful consideration the Marine Survey Office has no objection to the proposed works in the application referenced in the subject line from a navigational safety perspective.
However the following shall be noted;

- A Marine Notice shall be published for the information of all local maritime users detailing the works and any vessels which may be engaged in said works during the construction phase.
- To ensure the safety of navigation for all maritime users, the construction area within the tidal zone shall be clearly identifiable to all maritime users. Where deemed necessary, temporary marker buoys shall be installed upon consultation with the Harbour Authority.
- The applicant shall be obliged to inform the United Kingdom Hydrographic Office (UKHO) (Fax: 0044 1823 284077, email: hdc@hdc.hydro.gov.uk) detailing the location and nature of the proposed works to ensure relevant navigation charts and nautical publications are updated.
- The applicant is required to apply to the Commissioner of Irish Lights email info@irishlights.ie for sanction to establish an Outfall Mark or Buoy

Regards,

[redacted]
Marine Survey Office
Nautical Surveyor

An Roinn Iompair
Department of Transport

Lána Líosain, Baile Átha Cliath, D02 TR60
Leeson Lane, Dublin, D02 TR60

[redacted]

Stephenriordan@transport.gov.ie www.gov.ie/transport

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Tá eolas sa teachtaireacht leictreonach seo a d'fhéadfadh bheith príobháideach nó faoi rún agus b'fhéidir go mbeadh ábhar rúnda nó pribhléideach ann. Is le h-aghaidh an duine/na ndaoine nó le h-aghaidh an aonáin atá ainmnithe thuas agus le haghaidh an duine/na ndaoine sin amháin atá an t-eolas. Tá cosc ar rochtain don teachtaireacht leictreonach seo do aon duine eile. Murab ionann tusa agus an té a bhfuil an teachtaireacht ceaptha dó bíodh a fhios agat nach gceadaítear nochtadh, cóipeáil, scaipeadh nó úsáid an eolais agus/nó an chomhaid seo agus b'fhéidir d'fhéadfadh bheith mídhleathach.

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From: [redacted]
Sent: Wednesday 21 December 2022 10:46
To: [redacted]
Subject: FW: Request for Observations FS007027 Irish Water Whitegate to Aghada

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From: [redacted]
Sent: Wednesday 21 December 2022 10:34
To: [redacted]
Cc: Housing Foreshore <foreshore@housing.gov.ie>; [redacted]
Subject: RE: Request for Observations FS007027 Irish Water Whitegate to Aghada

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Dear [redacted]

Apologies for the delay responding. In relation to the request for observations on the AA process for the Irish Water Whitegate to Aghada installation in Cork Harbour, the observations of the Marine Institute (dated 26/04/2021) still stand.

In addition to these observations, the Marine Institute advises, during assessment of likely effects, that the licencing body consider the in-combination effects on species (marine mammals and birds, in particular) that the proposed activities may have with other activities likely to occur in the vicinity. To this end, the MI notes there are some Aquaculture licenced areas and Fishery Orders near to the proposed areas within Cork Harbour. The exact locations of these areas and details of species cultured can be found at the following link: https://dafm-maps.marine.ie/aquaculture-viewer/

In addition, DAFM have overseen the production of Natura appropriate assessment reports which consider interactions between Natura qualifying interests and aquaculture operations (existing and proposed) that have been carried out nationally and more specifically, in Cork Harbour. These reports cover both SAC and SPA sites and can be found at the following link and give an indication of likely aquaculture activities occurring it the general area and a conclusion on their likely impact on N2000 sites.

Aquaculture AA reports Cork Harbour SPA and Great Island SAC

Furthermore, we draw the Department's attention to fishery risk assessments relating to Natura Qualifying interests that have been carried out nationally and more specifically, on the south and west coasts. These reports can be found at the following link and give an indication of likely fisheries activities occurring it the area in question.

http://www.fishingnet.ie/sea-fisheriesinnaturaareas/concludedassessments/southandwestcoasts/

Please do not hesitate to contact me if you have any queries.
All the best,
Francis

[redacted]
Section Manager – Licensing and Policy Advice
Marine Environment and Food Safety Services
Marine Institute
Rinville, Oranmore
Galway, Ireland
H91R673

[redacted]

From: [redacted]
Sent: Monday 21 November 2022 15:49
To: [redacted]
Cc: Housing Foreshor [redacted] (Housing)
Subject: RE: Request for Observations FS007027 Irish Water Whitegate to Aghada

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Hi [redacted] we have not further comment to make on this application

Kind regards
[redacted]

AN t-ÚDARÁS UM CHOSAINT IASCAIGH MHARA | SEA-FISHERIES PROTECTION AUTHORITY

Aquaculture & Foreshore Application Observations

Application No: FS007027 **Whitegate to Aghada WWTP**	**Applicant Name & Area:** **Irish Water**
Application Category Aquaculture: N	Foreshore: Y

Sea Fisheries Protection Officer Observations	
The location of the application is the Upper harbour East in the Port of Cork. There is an active fishery for *Palaemon serratus* which is fished for by vessels in the under 10m category on an annual basis. Due to the size category of vessels engaged in the fishery, catch data and fishing effort is lacking. The proposed construction of the marine outfall is unlikely to have any impact on the SFPA conducting its official control duties in the area.	
The application is adjacent to the shellfish growing waters of Rostellen, where *Crassotrea gigas* is cultivated. Currently the shellfish growing waters are subjected to uncontrolled and untreated sewage from the environs of Aghada and Whitegate. The proposed waste water treatment plant and marine outfall should improve the quality of the receiving waters by a minimum of 50% in suspended solids with the proposed primary treatment. The application is unlikely to have any effect on the SFPA conducting fisheries control activities and seafood activities in the area.	
A pollution event during the construction phase of the proposed development could cause a contamination risk to the shellfish growing in the area. Should a pollution event occur, the SFPA Clonakilty Port office should contacted immediately so measures can be put in place to restrict potentially contaminated shellfish being placed on the market. sfpa_clonakilty_port@sfpa.ie	
Sea-Fisheries Protection Authority	**Date: 30-11-2022**

From: Housing Foreshore
Sent: Thursday 3 November 2022 15:55
To: [redacted] (Housing)
Subject: FW: Request for Observations FS007027 Irish Water Whitegate at Aghada
Attachments: 2502.pdf

From: EIAPlanning <eiaplanning@epa.ie>
Sent: Thursday 3 November 2022 15:49
To: Housing Foreshore <foreshore@housing.gov.ie>
Cc [redacted]
Subject: RE: Request for Observations FS007027 Irish Water Whitegate at Aghada

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Dear [redacted]

I refer to your correspondence received 19th October 2022 requesting observations from the Agency on the Appropriate Assessment for the above named project. The Agency previously provided observations on the foreshore application (FS0007027) on 28th April 2021 (see attached letter).

In accordance with the requirement as set out the Foreshore Regulations 2011 (S.I. No. 353 of 2011), the Agency further advises as follows:

- A Waste Water Discharge Licence (WWDL) application (Reg. No. D0423-02) was submitted by Irish Water to the Agency on 6th December 2021. It is currently under assessment by the Agency. The Natura Impact Statement submitted in support of the foreshore application was also submitted in support of the WWDL application.
- The WWDL application and associated documentation can be viewed at this link: https://epawebapp.epa.ie/terminalfour/wwda/wwda-view.jsp?regno=D0423-02
- In considering and deciding on the foreshore application the proposed activity should not result in a contravention of the Water Framework Directive 2000/60/EC, Habitats Directive 92/43/EEC, Birds Directive 2009/147/EC, Marine Strategy Framework Directive 2008/56/EC, Bathing Water Directive 73/160/EEC or Environmental Liabilities Directive 2004/35/EC.

For all further queries and correspondence, please contact eiaplanning@epa.ie.
Please note that there is no requirement for you to acknowledge receipt of this correspondence.

Yours faithfully,
Environmental Licensing Programme

Environmental Licencing Programme
Office of Environmental Sustainability
An Clár um Cheadúnú Comhshaoil
Oifig um Inbhuanaitheacht Chomhshaoil

053-916 0600 (Switch)
eiaplanning@epa.ie
www.epa.ie

From: Housing Foreshore <foreshore@housing.gov.ie>
Sent: Wednesday 19 October 2022 15:25
To: EIAPlanning <eiaplanning@epa.ie>