

Subject: Formal Objection to Application MLA/2025/00157 – Environmental, Legal, and Public Health Risks

Dear Sir/Madam,

We write to strongly object to the proposed dredging of Falmouth Harbour (MLA/2025/00157) on the following critical grounds:

1. Massive Release of Contaminated Sediments

Reports warn that the plan entails removing 850,000 tonnes of toxic sludge from the harbour seabed, potentially spreading contamination across Falmouth Bay and beyond (Yahoo News UK). The sediments include legacy dockyard waste, heavy metals, hydrocarbons, and residuals from the Wheal Jane mine spill—pollutants that pose serious ecological and human health hazards when disturbed.

These risks contravening the **Water Framework Directive (2000/60/EC)** (transposed into UK law), which requires that water bodies achieve and maintain “good ecological and chemical status.”

2. Scientific and Survey Deficiencies

- Only five grab samples were taken across the dredge zone—grossly insufficient to assess ecologically sensitive areas.
- No modern habitat mapping using sonar, drone, or camera surveys, and no verification of nearby maerl or eelgrass beds.
- Absence of seasonal surveys—data collected only in November misses peak biological activity, spawning, and migration periods.

These deficiencies fall short of the **Environmental Impact Assessment Regulations 2017**, which mandate comprehensive and representative baseline surveys.

3. Threats to Protected Habitats

- Maerl beds, a critically slow-growing habitat and a **Special Area of Conservation (SAC)** feature, lie within 100–200 m of the proposed dredging zone, yet remain unsurveyed.
- Eelgrass beds, important for carbon storage ("blue carbon") and as nurseries for commercial fish species, risk irreversible smothering.

- This undermines the **Habitats Regulations 2017**, which require an Appropriate Assessment and application of the precautionary principle in the face of uncertainty.
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4. Inadequate Assessment of Environmental Risk

- Sediment plume modelling is simplistic, ignoring storm-driven resuspension, long-term turbidity, and cumulative impacts.
 - Disturbance to marine mammals and seabirds has been dismissed without acoustic or disturbance modelling compliant with **JNCC guidelines**.
 - No consideration of combined effects with other harbour and coastal activities, contrary to the **Marine Policy Statement 2011** requirement for cumulative impact assessment.
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5. Air Pollution, Carbon Emissions, and Climate Impacts

- Dredging operations will generate significant **CO₂, NO_x, SO_x, and particulate emissions**, conflicting with the UK's binding **Climate Change Act 2008 (Net Zero target 2050)**.
 - Re-suspension of organic-rich sediments will release “locked-in” **blue carbon**, undermining the UK's climate adaptation and mitigation duties.
 - Dust and fine particulate emissions risk exceeding safe thresholds established under the **Air Quality Standards Regulations 2010** and **WHO Air Quality Guidelines (2021 update)**.
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6. Public Health Concerns

- Legacy pollutants (arsenic, cadmium, mercury, hydrocarbons) risk bioaccumulation in fish and shellfish, threatening both public health and Cornwall's seafood industry.
 - Turbidity and contamination could compromise bathing water quality, potentially breaching obligations under the **Bathing Water Regulations 2013** (derived from EU Bathing Water Directive 2006/7/EC).
 - Local communities face exposure to airborne pollutants in contravention of the **Public Health Act 1936** and **Environmental Protection Act 1990**.
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7. Socio-Economic and Cultural Impacts

- Falmouth Bay supports fishing, aquaculture, recreation, and tourism—all dependent on clean water and healthy ecosystems. Contamination or even the perception of pollution could devastate these sectors.
 - Damage to eelgrass and maerl beds undermines long-term ecosystem services, cultural heritage, and the Government’s “levelling up” commitments to coastal communities.
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8. Legal Non-Compliance

- The **Habitats Regulations** do not allow a “no likely significant effect” finding without robust evidence; speculative conclusions are unlawful.
 - The **EIA Regulations 2017** mandate assessment of air quality, socio-economic, and ecological impacts—all inadequately addressed.
 - The **Marine Policy Statement 2011** requires precaution where evidence is lacking; this application disregards that statutory duty.
 - The proposal also undermines obligations under the **Environment Act 2021**, which requires halting biodiversity decline and improving water quality.
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Conclusion

Approving dredging under these conditions would be irresponsible, unlawful, and environmentally catastrophic. I urge the MMO to refuse consent, or at the very least require:

- comprehensive modern ecological and seasonal surveys;
- independent plume and hydrodynamic modelling;
- full air quality, carbon, and public health assessments;
- and a complete **Appropriate Assessment** under the Habitats Regulations.

Until these legal, scientific, and compliance shortcomings are addressed, the **precautionary principle** dictates that this application must not proceed.

Yours faithfully,