



MARINE AND COASTAL ACCESS ACT (2009). APPLICATION BY ABLE UK LTD FOR THE DREDGING AND DISPOSAL OF TERRC BASIN, QUAYS 7,8 & 9 BY ABLE SEATON PORT, TEESIDE.

Reference Number: MLA/2015/00334

From: Khatija Alliji
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Date: 24th November 2017
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To: Angela Wildish - MMO (via MCMS)

1. With reference to the above application and your request for comments dated 23rd of November 2017.

Description of the proposed works

2. The proposed works is for the capital and maintenance dredging and disposal at sea in association with the lowering of TERRC Basin, Quays 7, 8 and 9 by a depth of 2 m (from 6.5 m to 8.5 m below chart datum). The applicant wishes to include the wet dock (previously dry dock) in their current licence (L/2017/00012/2) to accommodate semi-submersible rigs. The work will take place between the 2nd of January 2018 to the 31st of December 2026. The work will be carried out using a combination of backhoe dredger and crane mounted grab. The material will be disposed of at sea at the registered disposal site Tees Bay C (TY150).
3. This is a renewal application to dispose of 100,430 tonnes (~55,000 cubic metres) of maintenance and capital material per licence from Able Seaton Port, TERRC basin Quays 7, 8 and 9.

Shellfisheries

4. There are no commercial molluscan shellfisheries within 5 km of the proposed works and therefore it is unlikely that these construction works will have an adverse impact on commercial molluscan shellfisheries.

Fish resources

5. The proposed works occur within broad areas used for spawning by lemon sole and nephrops. The proposed works also occur within broad areas used for nursery grounds by anglerfish, cod, herring, spurdog, plaice, whiting, sprat, lemon sole and nephrops.
6. There is likely to be some re-suspension of sediment from the excavations however due to the intertidal nature of these works it is unlikely that there will be a significant adverse effect upon local fish resources.
7. Due to the size and nature of the proposed works, I do not anticipate that the works will have any adverse effects on local fish resources.



DISPOSAL

Dredge material quality:

8. Samples were requested for this renewal and were collected at four sites at the surface. The samples were analysed for trace metals, organotins, total hydrocarbons (THCs), polycyclic aromatic hydrocarbons (PAHs) and particle size analysis (PSA). The results show elevated levels of trace metals and PAHs (above Action level 1) but are not a cause for concern. The organotins, THCs and PSA results were below Action Level 1 and within the expected range for the area.
9. The applicant should continue contaminant analysis every three years as part of their licence.

Disposal site considerations:

10. The maintenance and capital dredge material is to be disposed of at Tees Bay C (TY150).

Disposal contractor and vessels:

11. The applicant has not provided details of the contractor for the works. The works are to be undertaken using a combination of a backhoe dredger and a crane mounted grab. I have no objection to the use of these vessels.

Dredging method:

12. The works will be completed using a backhoe dredger and a crane mounted grab. The material will be deposited at Tees Bay C (TY150).
13. The vessels and method of dredging proposed are suitable at this site. Best practices should always be adopted and this may be an area on which the EA may wish to comment.

GENERAL

Conservation designations

14. The following conservation designation areas are within 5 km of the works:
Seal Sands and Tees and Hartlepool Foreshore and Wetlands SSSIs
Teesmouth and Cleveland Coast SPA
Teesmouth and Cleveland Coast RAMSAR and OSPAR sites.
15. I believe that the nature and scale of the works do warrant an Appropriate Assessment under The Conservation of Habitats and Species Regulations 2010; however, I defer comment to Natural England.

Requirement for EIA

16. I am of the opinion that the proposed works do fall under the scope of a 'relevant project' as defined in the Marine Works (Environmental Impact Assessment) 2007 Regulations (amended 2011), and therefore do not warrant an EIA to be carried out.

Any additional comments

17. The applicant applied for sample analysis by Cefas (SAM/2017/00066) under the OSPAR regulations. The amount of material to be dredged has changed from 48,232 wet tones (~22,968 cubic metres) to 100,430 tonnes (~55,000 cubic metres). This is not a concern as the number of samples collected were still in compliance with the OSPAR guidelines. However, the applicant should consider consistency in future applications.

18. The applicant has called the area berths 8 and 9 in the sample application (SAM/2017/00066), where as in the current application the applicant was called the area the TERRC basin, Quays 7, 8 and 9. In this case after considering the area the samples are considered representative of the dredge area and material however, the applicant should consider consistency throughout the application process to maintain the validity of the licence.

Summary

19. Based on my assessment of this application I consider that 100,430 tonnes (~55,000 cubic metres) of maintenance and capital dredged material per licence from the proposed dredged area is suitable for disposal at sea to the licensed disposal site Tees Bay C (TY150). I recommend the following licence conditions;

The Licence Holder must ensure that;

Pre-works

- The District Marine Office must be notified of the timetable of works/operations at least 10 days prior to any activities commencing.
Reason: To ensure that the MMO officer is aware of the operations at sea occurring within its jurisdiction in order to notify other sea users and can arrange enforcement visits as appropriate.

During Works

- Any coatings/treatments utilised are suitable for use in the marine environment and are used in accordance with best environmental practice.
Reason: To ensure that hazardous chemicals that may be toxic, persistent or bioaccumulative are not released into the marine environment and used appropriately.
- The Licence Holder must install bunding and/or storage facilities to contain and prevent the release of fuel, oils, and chemicals associated with plant, refuelling and construction equipment, into the marine environment. i.e. secondary containment should be used with a capacity of not less than 110% of the containers storage capacity.
Reason: To prevent marine pollution incidents by adopting best practice techniques
- The Licence Holder must ensure that any oil, fuel or chemical spill within the marine environment is reported to the MMO, Marine Pollution Response Team
Reason: To ensure that any spills are appropriately recorded and managed to minimise impact to sensitive receptors and general marine environment
- They inform the MMO of the location and quantities of material disposed of each month under this Licence by 31 January each year for the months August to January inclusive, and by 31 July each year for the months February to July inclusive.
Reason: To ensure that accurate data is collected for the reporting of disposal at sea to meet UK OSPAR requirements.
- The License Holder must ensure all reasonable precautions are taken to prevent the disposal of man-made debris to the sea. Such debris must be disposed of to land.
Reason: To exclude the disposal at sea of man-made material such as shopping trolleys, masonry, paint cans ect.
- Material must be disposed of within the disposal sites Tees Bay C (TY150) unless suitable for resuspension through plough dredging.
Reason: To ensure material is deposited within the appropriate disposal area.

- The Licence Holder must ensure that during the course of disposal, material is distributed evenly over the Tees Bay C (TY150) disposal site.
Reason: To ensure that a reasonably even spread of material is achieved over the area of the disposal site to avoid shoaling.

Post-works

- The District Marine Office must also be notified within 10 days of completion of the works.
Reason: To ensure that the MMO officer is aware of the operations at sea occurring within its jurisdiction in order to notify other sea users and can arrange enforcement visits as appropriate.
- The Licence Holder must ensure that any equipment, temporary structures, waste and/or debris associated with the works are removed within 6 weeks of completion of the works
Reason: To prevent the accumulation of unlicensed materials/debris and the potential environmental damage, safety & navigational issues associated with such materials/debris

Should you wish to discuss any aspect of this minute please do not hesitate to contact me.

Khatija Alliji
Advisor (Sustainable Marine Management)

Quality Check	Date
Jemma Lonsdale	24/11/2017