



Comhshaol, Pobal agus Rialtas Áitiúil
Environment, Community and Local Government

For Office Use

Ref. No. _____

Application date: _____

Date of receipt. _____

Date Validated: _____

**APPLICATION FOR A LEASE/LICENCE/CONSENT UNDER THE FORESHORE ACT
1933 (AS AMENDED)**

- Applications for Offshore renewable energy (ORE) projects should use an ORE specific form.
- Please complete the form electronically. Type details in the boxes provided, space will expand as you type.
- The enclosures checklist should also be completed
- Tá an leagan Gaeilge den fhoirm seo ar fáil ar iarratas.

**IT IS IMPORTANT TO NOTE THAT A CHANGE IN APPLICANT NAME WILL
REQUIRE A NEW APPLICATION.**

Applicant Address/Contact Details:

Full Name of Applicant (not Agent):	
Company/Organisation:	Independent Pipeline Company Ltd Company No 189580
Address:	Bridge St Centre, Portlaoise, Co. Laois
Eircode:	R32 FKWO
Phone No:	0578665000
E-mail address:	info@aviationfuelpipeline.com

Agent (if any) Address/Contact Details:

Person/Agent acting on behalf of the Applicant:	
Company:	Fingleton White & Co Ltd
Address:	Bridge St Centre, Portlaoise, Co. Laois
Eircode:	R32 FKWO
Phone No:	0578665000
E-mail address:	mary.white@fingleton.ie

Applicant's Legal Advisor:

Name:	Bolger, White, Egan & Flanagan Solicitors
Address:	Lismard Court, James Fintan Lalor Avenue, Portlaoise, Co Laois
Eircode:	R32 CP27
Phone No:	057 86 21215
E-mail address:	robert@bweflaw.com

Part 1: Proposal Details (Attach additional documents as required)

1.1	<p>Description of proposed works/activity.</p> <p>Installation of a 200mm welded steel pipeline under the Tolka River using trenchless techniques. The pipeline will be used to transport aviation fuel from DublinPort to Dublin Airport.</p> <p>Description of the project in EIS Vol 2 Section 3 and EIS Vol 3 Appendix 3.3 Construction Plan.</p> <p>Drawing showing the location of the launch and reception pits for the Tolka River crossing in Appendix B.</p>																
1.2	<p>Describe the nature and scale of any structure to be erected on the foreshore. Is the structure proposed to be temporary or permanent?</p> <p>NA</p>																
1.3	<p>Indicative timing of the works/activity: (i) Start date (ii) Duration (iii) Any other information relevant to timing.</p> <p>Start Date April 2017 Duration 8 weeks</p>																
1.4	<p>Primary usage for proposed development (please tick)</p> <table border="1"> <tr> <td>Use</td> <td></td> </tr> <tr> <td>Industrial</td> <td></td> </tr> <tr> <td>Commercial</td> <td>X</td> </tr> <tr> <td>Within Fishery Harbour Centre</td> <td></td> </tr> <tr> <td>Sea Fisheries</td> <td></td> </tr> <tr> <td>Local Authority</td> <td></td> </tr> <tr> <td>Community/Co Op scheme</td> <td></td> </tr> <tr> <td>Other(specify)</td> <td></td> </tr> </table>	Use		Industrial		Commercial	X	Within Fishery Harbour Centre		Sea Fisheries		Local Authority		Community/Co Op scheme		Other(specify)	
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Other(specify)																	

1.5	<p>Do the proposed works provide for public use, commercial use, restricted use or strictly private use? Provide Details</p> <p>Commercial Use. The pipeline will be used to transport aviation fuel from storage tanks in Dublin Port to the Dublin Airport tank farm. The pipeline will be open to all suppliers of aviation fuel to Dublin Airport.</p>
1.6	<p>Might the proposed works restrict public use/enjoyment of the foreshore? Provide details.</p> <p>The proposed works involve the installation of a fuel pipeline under the Tolka River beneath the foreshore. All works associated with the crossing will take place outside the foreshore area. There is minimal marine activity in this area. Due to the temporary nature of the works there will be no measurable impact on the marine activity.</p>
1.7	<p>Has the applicant held or does the applicant hold any previous Foreshore Licences, Leases or applications over the area sought or over any other area including pending applications? (Give details including Department's file reference number(s)).</p> <p>No</p>
1.8	<p>Status of planning permission application: Pending/granted/not required.</p> <p>Consent Authority: An Bord Pleanala Reference Number: PL 29N.245738</p> <p>(Please provide copies of consents granted)</p>
1.9	<p>Are any other consents required for this proposal? No Please detail.</p> <p>Consent type Consent Authority: Reference Number: Status of application:</p> <p>(Please provide copies of consents granted)</p>
1.10	<p>Employment Implications (if any) 1x Full time, 1x Part time</p>
1.11	<p>Capital cost of proposed works (€ - Euro) 80,000 for the crossing</p>
1.12	<p>Do the proposed works involve the draw down of European Union or State funding? No If "Yes" give details, including any time restrictions, etc. applying</p>

Part 2: Proposed Site. (Attach additional documents as required)

2.1	County: Dublin
2.2	Location name and nearest townland name: Tolka River, Alfie Byrne Road, East Wall, Dublin 1
2.3	Geographic co-ordinates of the area under application in degrees minutes and seconds WGS84 for offshore developments and where the area can also be identified on the Ordnance Survey map and /or is connected to the seashore/mainland, specify Ordnance Survey map no and Irish National Grid co-ordinates. OSI Map Nos 3198-17, 3198-18, 3198-22, 3198-23 Irish National Grid Coordinates - E:317639.486 N:235628.756 E:317653.526 N:235647.971 E:317656.315 N:235646.703 E:317642.381 N:235627.633
2.4	Please indicate the size of the Foreshore area (Ha²) or (M2) or (KM2) 78m2
2.5	If offshore please indicate distance from shore (Km): NA
2.6	Is any of the foreshore in the proposed site in private ownership? No If yes please provide documentary evidence of same (e.g. folio)
2.7	Any other site details considered relevant: No

Part 3. Maps and Drawings, Please refer to Guidance on map and drawing requirements.

3.1	Site location map attached? Please include reference no(s). 0362-D-03-G-0012 Development Map. Appendix A
3.2	Foreshore Lease/Licence map attached? Please include reference no(s). 0362-D-03-G-0011 Foreshore Licence Map. Appendix A
3.3	Drawings of structures to be used and or layout (if required) attached? Please detail and include reference no(s). NA
3.4	Admiralty Chart attached? No
3.5	Other maps/drawings attached ?– please detail and include reference numbers 0362-D-07-C-0001 Tolka River Crossing- Cross section including details of launch and reception Pits. Appendix B

Part 4: Pre- application consultations

<p>4.1</p>	<p>Describe briefly any consultations undertaken with the following bodies:</p> <ul style="list-style-type: none"> • National Parks & Wildlife Service (NPWS) of the Department of Arts, Heritage and the Gaeltacht • National Monuments Service (NMS) of the Department of Arts, Heritage and the Gaeltacht • Inland Fisheries Ireland • Sea Fisheries Protection Authority • Marine Institute • Marine Survey Office <p>An EIS Scoping letter was circulated to the Department of Arts, Heritage and the Gaeltacht, NPWS and NMS and Inland Fisheries and responses subsequently received. Refer to EIS Vol 2, Chapter 5, EIS Scoping, Consultation and Key Issues, for a summary of submissions received. Vol 3 Appendix 5.3, Consultation Responses contains copies of correspondence.</p> <p>Please also provide copies of correspondence. Appendix C</p>
<p>4.2</p>	<p>Describe briefly any consultations undertaken with other relevant authorities (e.g. Local Authority, Port/Harbour authority etc) or State Agencies.</p> <p>Detailed discussions were held with Dublin City Council, Fingal County Council, Dublin Port Company, NRA, Irish Rail, Dublin Airport Authority. EIS Vol 2, Table 5.1 List of Meetings Conducted.</p>
<p>4.3</p>	<p>Describe any consultations undertaken to date with other foreshore users.</p> <p>A Project Information meeting was held on the 9th September, 2014 in Clontarf. A letter drop to all residents along the route informed them of the meeting. The concerns raised at the meeting related to route selection, nature of fuel, construction disruption and flooding. EIS Vol 2, Section 5.6, Public Information Days.</p>
<p>4.4</p>	<p>Describe any likely interactions with activities of the public or other foreshore users during the construction and operational phases of the works/activities (e.g. fishing, aquaculture, sailing, and surfing swimming, walking). Describe any measures proposed to minimise inconvenience to other users.</p> <p>All works associated with the crossing will take place outside the foreshore area. There is minimal marine activity in this area. Due to the temporary nature of the works there will be no measurable impact on the marine activity.</p>
<p>4.5</p>	<p>Have adjacent land owners, whose properties may be affected by these works been consulted? Please provide details/permissions as appropriate.</p> <p>Yes. Dublin City Council is the adjacent landowner. DCC issued a notification to grant permission for the aviation fuel pipeline. Reference PA 2005/15</p>

Part 5: Environmental Considerations
(your consultations with National Parks and Wildlife Service and National Monuments Service may inform your answers. Attach additional reports as required and mark under the R column)

www.epa.ie/downloads/advice/ea/guidelines/

www.environ.ie/en/DevelopmentHousing/PlanningDevelopment/EnvironmentalAssessment/

<http://www.npws.ie/protectedsites/appropriateassessment/>

<http://webgis.npws.ie/npwsviewer/>

	Environmental legislative requirements	Yes	No	R
5.1	Is an Environmental Impact Statement required for this proposal?	X		EIS
5.2	Is a Natura Impact Statement required for this proposal?	X		NIS
5.3	Is the area within or adjacent to a NHA, pNHA, SAC, SPA, or National Park? Specify site names and code(s). South Dublin Bay and River Tolka Estuary, site code 004024 Dublin Bay pNHA site code 000206 EIS Vol 2 Section 11.4 NIS Table 3.1	X		NIS
5.4	Describe any other projects or plans for the area, anticipated or developed, that in combination with this proposal, may have a significant effect on a Natura 2000 site: Please list with planning reference numbers (where available). There are no projects planned/anticipated for the area. The lands on either side of Alfie Byrne Road are zoned Z9. Further Development would not be compatible with the zoning.	None		NIS

	Environmental Considerations	Yes	No	R
5.5	<p>Will the proposal have any potential environmental impacts? If yes, please describe</p> <p>The EIS identifies potential impacts during construction, operation and decommissioning of this pipeline. Mitigation measures for each phase are proposed.</p> <p>The potential impacts associated with the crossing of the Tolka River are, EIS Vol 2 - Chapter 11 Flora and Fauna Chapter 12 Soils, Geology and Hydrogeology Chapter 13 Surface Water Quality and Drainage</p> <p>The risk associated with this pipeline is a leak. Refer to EIS Vol 3, Appendix 2.1, Safety and Environmental Impact Report. The frequency of a leak is 1 in 5,130 years. This is based on the pipeline being designed, constructed and operated as set out in the EIS Vol 3, Appendix 3.2, Design Basis.</p>	X		EIS
5.6	<p>Are you proposing any measures to mitigate the potential environmental impacts? If yes, please describe</p> <p>Mitigation by Design. Wall thickness of the steel pipe will be 12.7mm. Cathodic Protection to prevent external corrosion, Computational Model Leak Detection and external leak detection at the Tolka River will be installed on the pipeline. EIS Vol 3, Appendix 3.2 Design Basis</p> <p>Mitigation during Construction and Operation. EIS Vol 2, Sections 11.6, 12.6, 13.7</p>	X		EIS
5.7	<p>Are there public health/safety implications arising from the proposed works? (e.g. effluent disposal, removal of derelict or dangerous structures etc.) If yes, please describe</p>		X	
5.8	<p>Will the works involve the storage and/or disposal of waste? If "Yes" please give details of the type of waste and the proposed method of storage and/or disposal (including location)</p> <p>There will be no storage of waste material on site. Excavated soil/material will be removed directly onto a waiting truck for removal off site. There will be a temporary construction compound, possibly in Dublin Port. This will be used for storing pipes, fuel, refuelling operations. EIS Vol 2, Section 12.6, Construction Mitigation Measures</p>	X		EIS
5.9	<p>Any other Environmental Considerations? If yes, please specify.</p> <p>EIS Vol 3, Appendix 13.1, Flood Risk Assessment</p>	X		EIS

	Built Heritage Considerations	Yes	No	R
5.10	<p>Does the area contain an archaeological site or feature? If yes, please specify.</p> <p>An Archaeological Assessment has been carried out. There are no known archaeological sites in the vicinity of the Tolka Crossing. EIS Vol 2, Section 15.4.2 Record of Monuments and Places</p>		X	
5.11	<p>Does the area contain or adjoin a listed archaeological site or monument? If yes, please specify.</p>		X	
5.12	<p>Will the proposal have any potential impacts on the archaeological integrity of the site? If yes please describe</p>		X	EIS
5.13	<p>Are you proposing any measures to mitigate potential archaeological impacts? If yes, please describe?</p> <p>Excavation of launch and reception pits will be monitored. EIS Vol 2, Section 15.6 Mitigation Measures (items 10&11)</p>	X		EIS

Part 6: Navigational Safety Considerations. (Your consultations with relevant stakeholders may inform your answers. Attach additional documents as required and mark under the R column)

	Navigational Safety Considerations.	Yes	No	R
6.1	<p>Are there public navigational safety implications arising from the proposed works?</p>		X	
6.2	<p>What marine activity is there in the area? Minimal to None</p>		X	
6.3	<p>How will the marine activity be affected by the proposed works? Minimal to no effect</p>		X	
6.4	<p>What mitigating measures will be put in place?</p>		X	
6.5	<p>How will the proposed works affect Marine Navigation in the future?</p> <p>The pipeline will be installed 2m below the bed of the river</p>		X	

Part 7: Fishing/Aquaculture considerations (your consultations with IFI, SFPA, DAFM may inform your answers. Attach additional documents as required and mark under the R column)

	Fishing/Aquaculture considerations	Yes	No	R
7.1	<p>Is the proposal located in proximity to any of the following:</p> <ul style="list-style-type: none"> • aquaculture operation • designated Shellfish Growing Waters • fish spawning ground • other sensitive fisheries location <p>Please Illustrate on appropriate chart including distance in Km.</p>		X	
7.2	<p>Are there other potential impacts of the proposal on fishing/aquaculture in the area? If yes, please describe.</p>		X	
7.3	<p>Are there any measures proposed to mitigate potential impacts on fisheries or aquaculture? If yes, please describe.</p>		X	

Part 8 – Additional information

8.1	Please detail any additional relevant information.
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Declaration and Consent:

The details provided here are correct to the best of my knowledge.

I understand that no works will be commenced, by me or my agents on the proposed site, without the prior written consent of the Minister.

I give consent to the Minister and his servants to copy this application and to make it available for inspection and copying by the public. This consent relates to this application, to any further information, or submission provided by me or on my behalf and to the publication of the licence document.

Signature of Applicant (or his or her Agent):



Name of above Signatory (block letters):

John Fingleton

Position Held:

Managing Director

Date: 19th September 2016

Return completed applications to:

Marine Planning and Foreshore Section
Department of the Environment, Community and Local Government
Newtown Road
Wexford
Y35 AP90

Enquiries to: Foreshore@environ.ie (Other contact details to be included in Guidance materials)

Email a copy of application documents: Foreshore@environ.ie

Enclosures Checklist

**One hard copy of every document is required unless otherwise stated.
All documentation must be provided electronically (either by email or on CD) where possible in searchable PDF format.**

Item No.	Description	No. of copies Required	
1	Application Form. With original signature	4	P
2	Mapping (see guidelines document) (i) Site Location map (ii) Foreshore Lease/licence map	4 4	P P
3	British Admiralty Chart (largest available scale)	1	NA
4	Drawings of the structures to be used and/or layout	4	P
5	Pre-application correspondence with stakeholders.	1	P
6	Other statutory permissions: (i) Planning permission (ii) Effluent Discharge Licence (iii) Other consent (Please specify)	1 1 1	P
7	Company documentation (1): Certified copy of the Company's Memorandum and Articles of Association	1	P
8	Company documentation (2) Certificate of Incorporation of a Limited Liability, or Company/Rule Book/Constitution for a Club or Co-Operative Society as appropriate	1	NA
9	Environmental Impact Statement (EIS). (i) Hard copy (ii) CDs	5 5	P P
10	Natura Impact Statement (NIS) - hard copy & CD	5 and 4	P
11	Property-related owner permissions/wayleaves (i) Folio – (or other evidence of private ownership) (ii) Wayleave/consent from other property owners (iii) Other (Please specify) Dublin City Council Notification to Grant Permission dated 15th October 2015.	2 1 1	P
12	Other – Please specify	1	