

The Marine and Coastal Access Act (MCAA) (2009): Section 126

Marine Conservation Zone (MCZ) Screening Opinion

This Screening Opinion should be read in conjunction with the guidance in <u>DN18.1</u>, <u>published online</u> and in the <u>Conservation Advice Packages</u>.

Table 1. MMOs decision-making process with regards to the MCZ ScreeningOpinion for the project listed below.

Title of project	The Dover Harbour Revision Order 2022
Applicant name	Dover Harbour Board
Applicant address	Harbour House, Marine Parade, Dover, Kent, CT17 9BU
Type of activity	Construction - Breakwater
Case reference	HRO/2021/00006
Location of works	Dover Harbour
Description of project	Construction of a 70m long outer wave screen designed to protect the entrance to the new marina in Dover from wave energy reflected from the north-eastern corner of the harbour at high water.
Is an activity proposed by this Harbour Order application taking place within or near an area being put forward for or already designated as an MCZ?	Yes, the proposed works will be: 0.8km from the Dover to Folkestone MCZ; 2km from the Dover to Deal MCZ; 6.7km from the Folkestone Pomerania MCZ; 11.6km from the Goodwin Sands MCZ; and 12km Foreland MCZ Given the distance of the Folkestone Pomerania, Goodwin Sands and Foreland MCZs from the proposed work, no pathway has been identified for the works to impact these sites and they will not be considered further.



MCZ site name			Folkestone
			Ikestone Marine Conservation Zone factsheet
Protected feature	Type of feature		service.gov.uk) Conservation objective
	Broadscale m		Maintain in favourable condition
Low energy intertidal		anne	
rock	habitat		Maintain in favourable condition
Moderate energy	Broadscale m	anne	
intertidal rock	habitat Broadscale m		Maintain in four urable condition
High energy intertidal rock	habitat		Maintain in favourable condition
Intertidal coarse	Broadscale m	arine	Maintain in favourable condition
sediment	habitat		
Intertidal sand and muddy sand	Broadscale m habitat	arine	Maintain in favourable condition
Intertidal	Intertidal		Maintain in favourable condition
underboulder	communities		
communities			
Littoral chalk	Littoral comm	unities	Maintain in favourable condition
communities			
Moderate energy	Broadscale m	arine	Maintain in favourable condition
infralittoral rock	habitat		
Subtidal coarse	Broadscale m	arine	Maintain in favourable condition
sediment	habitat		
Subtidal mixed	Broadscale m	arine	Maintain in favourable condition
sediments	habitat		
Subtidal mud	Broadscale marine		Maintain in favourable condition
• • • • •	habitat		
Subtidal sand	Broadscale marine habitat		Maintain in favourable condition
Native oyster (<i>Ostrea</i> edulis)	Shellfish species		Maintain in favourable condition
Folkestone Warren	Geological feature		Maintain in favourable condition
MCZ site name			to Deal
		Dover to	Deal Marine Conservation Zone factsheet
	-		ing.service.gov.uk)
Protected feature	Type of featu		Conservation objective
High energy intertidal	Broadscale m	arine	Maintain in a favourable condition
rock	habitat		
Intertidal coarse	Broadscale m	arine	Maintain in a favourable condition
sediment	habitat		
Intertidal sand and	Broadscale m	arine	Maintain in a favourable condition
muddy sand	habitat		
Intertidal	Intertidal		Maintain in a favourable condition
underboulder	communities		
communities			
Littoral chalk	Littoral comm	unities	Maintain in a favourable condition
communities			
Low energy intertidal	Broadscale m	arine	Maintain in a favourable condition
rock	habitat		



Moderate ener	av	Broadscale	a marina	Maintain in a favourable condition
infralittoral rock		habitat		
Moderate ener		Broadscale marine		Maintain in a favourable condition
intertidal rock	0,	habitat		
Native oyster (Ostrea	Shellfish s	pecies	Maintain in a favourable condition
edulis)				
Subtidal chalk		Broadscale	e marine	Maintain in a favourable condition
		habitat		Maintain in a favourable condition
Subtidal mixed sediments		Broadscale habitat	e marine	Maintain in a favourable condition
Subtidal sand		Broadscale	- marine	Maintain in a favourable condition
		habitat		
Blue mussel be	eds	Shellfish s	pecies	Recover to a favourable condition
High energy		Broadscale		Recover to a favourable condition
circalittoral roc	k	habitat		
Moderate ener	•••	Broadscale	e marine	Recover to a favourable condition
circalittoral roc		habitat		
Ross worm ree		Benthic sp		Recover to a favourable condition
				er than insignificantly) the protected
				orphological process on which the
conservation o	r any pro			Z is (wholly or in part) dependant?
Consider haza	rd – nath	way - recer	ntors to ider	tify how a proposed activity may
				also refer to Advice on Marine
operations Gui				
MCZ site nam			Dover	to Folkestone
				www.gov.uk/government/publications/marine-
Protected	Hazard			
feature				ation-zones-dover-to-folkestone
Low energy			Potential	ation-zones-dover-to-folkestone exposure to hazard and mechanism
	Increas		Potential of effect/i	ation-zones-dover-to-folkestone
intertidal rock	Increas suspen	e in	Potential of effect/in Any increa	ation-zones-dover-to-folkestone exposure to hazard and mechanism mpact if known
0,		e in ded	Potential of effect/in Any increa piling work works and	ation-zones-dover-to-folkestone exposure to hazard and mechanism mpact if known use in suspended sediment from the ts is likely to limited to the vicinity of the is unlikely to extend to the MCZ. The
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0,	suspen sedime Release contam	e in ded nt e of iinated	Potential of effect/in Any increa piling work works and location of therefore f pathway for the MCZ. The piling significant sampling u dredging in contamina	ation-zones-dover-to-folkestone exposure to hazard and mechanism mpact if known is in suspended sediment from the is sis likely to limited to the vicinity of the is unlikely to extend to the MCZ. The the works is within the harbour urther reducing the likelihood of any or increase in suspended sediment to is unlikely to result in the release of contaminated sediments as the undertaken in 2019 for maintenance ndicated that there were low levels of ted sediment within the port of Dover. It
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Moderate energy intertidal rock	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ. The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover. It was considered that this material was suitable for disposal at sea, therefore it is not considered that a release of sediments would significantly affect
High energy intertidal rock	Increase in suspended sediment Release of contaminated sediments	this protected feature. Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover. It was considered that this material was suitable for disposal at sea, therefore it is not considered that a release of sediments would significantly affect this protected feature.
Intertidal coarse sediment	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ. The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover. It was considered that this material was suitable for disposal at sea, therefore it is not considered that a release of sediments would significantly affect this protected feature.



Intertidal sand and muddy sand	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ. The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover.
Intertidal underboulder communities	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ. The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover. It was considered that this material was suitable for disposal at sea, therefore it is not considered that a release of sediments would significantly affect this protected feature.
Littoral chalk communities	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ. The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover. It was considered that this material was suitable for disposal at sea, therefore it is not considered that a release of sediments would significantly affect this protected feature.



Moderate energy infralittoral rock	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
		The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover. It was considered that this material was suitable for disposal at sea, therefore it is not considered that a release of sediments would significantly affect this protected feature.
Subtidal coarse sediment	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
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Subtidal mixed sediments	Increase in suspended sediment	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour
	Release of contaminated sediments	therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
		The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover. It was considered that this material was suitable for disposal at sea, therefore it is not considered that a release of sediments would significantly affect this protected feature.
Subtidal mud	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
		The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover. It was considered that this material was suitable for disposal at sea, therefore it is not considered that a release of sediments would significantly affect this protected feature.



Subtidal sand	Increase in	Any increase in suspended sediment from the
	suspended sediment	piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour
	Release of contaminated sediments	therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
		The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover. It was considered that this material was suitable for disposal at sea, therefore it is not considered that a release of sediments would significantly affect this protected feature.
Native oyster (<i>Ostrea</i> <i>edulis</i>)	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
		The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover.
Folkestone Warren (SSSI chalk cliff geological feature)	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
		The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover. It was considered that this material was suitable for disposal at sea, therefore it is not considered that a release of sediments would significantly affect this protected feature.



MCZ site nam	e	Dover to Deal
		https://www.gov.uk/government/publications/marine- conservation-zones-dover-to-deal
Protected feature	Hazard	Potential exposure to hazard and mechanism of effect/impact if known
High energy intertidal rock	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
		The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover. It was considered that this material was suitable for disposal at sea, therefore it is not considered that a release of sediments would significantly affect this protected feature.
Intertidal coarse sediment	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
		The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover. It was considered that this material was suitable for disposal at sea, therefore it is not considered that a release of sediments would significantly affect this protected feature.



Intertidal sand	Increase in	Any increase in suspended sediment from the
and muddy	suspended	piling works is likely to limited to the vicinity of the
sand	sediment	works and is unlikely to extend to the MCZ. The
		location of the works is within the harbour
	Release of	therefore further reducing the likelihood of any
	contaminated	pathway for increase in suspended sediment to
	sediments	the MCZ.
		The piling is unlikely to result in the release of
		significant contaminated sediments as the
		sampling undertaken in 2019 for maintenance
		dredging indicated that there were low levels of
		contaminated sediment within the port of Dover. It
		was considered that this material was suitable for
		disposal at sea, therefore it is not considered that
		a release of sediments would significantly affect
Intertidal	Increase in	this protected feature. Any increase in suspended sediment from the
underboulder	suspended	piling works is likely to limited to the vicinity of the
communities	sediment	works and is unlikely to extend to the MCZ. The
Commandoo	oodiintont	location of the works is within the harbour
	Release of	therefore further reducing the likelihood of any
	contaminated	pathway for increase in suspended sediment to
	sediments	the MCZ.
		The piling is unlikely to result in the release of
		significant contaminated sediments as the
		sampling undertaken in 2019 for maintenance
		dredging indicated that there were low levels of
		contaminated sediment within the port of Dover. It
		was considered that this material was suitable for
		disposal at sea, therefore it is not considered that
		a release of sediments would significantly affect
		this protected feature.



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Littoral chalk communities	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
		The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover. It was considered that this material was suitable for disposal at sea, therefore it is not considered that a release of sediments would significantly affect this protected feature.
Low energy intertidal rock	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
		The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover. It was considered that this material was suitable for disposal at sea, therefore it is not considered that a release of sediments would significantly affect this protected feature.



Moderate energy infralittoral rock	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
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Moderate energy intertidal rock	Increase in suspended sediment	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ.
	Release of contaminated sediments	The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover. It was considered that this material was suitable for disposal at sea, therefore it is not considered that a release of sediments would significantly affect this protected feature.
Native oyster (Ostrea edulis)	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
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Subtidal chalk	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
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Subtidal mixed sediments	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
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Subtidal sand	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
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Blue mussel beds	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
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High energy circalittoral rock	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
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Ross worm reefs	Increase in suspended sediment Release of contaminated sediments	Any increase in suspended sediment from the piling works is likely to limited to the vicinity of the works and is unlikely to extend to the MCZ. The location of the works is within the harbour therefore further reducing the likelihood of any pathway for increase in suspended sediment to the MCZ.
		The piling is unlikely to result in the release of significant contaminated sediments as the sampling undertaken in 2019 for maintenance dredging indicated that there were low levels of contaminated sediment within the port of Dover. It was considered that this material was suitable for disposal at sea, therefore it is not considered that a release of sediments would significantly affect this protected feature.
Is an activity capable of affecting (other than insignificantly) either:	(i) the protected features of an MCZ?	No
	 (ii) any ecological or geomorphological process on which the conservation of any protected feature of an MCZ is (wholly or in part) dependant? 	No



Conclusion	The MMO has determined that the activity is not deemed capable of affecting either (i) the protected features of the above proposed MCZ; or (ii) any ecological or geomorphological process on which the conservation of any protected feature of the above MCZ is (wholly or in part) dependant.		
	The works will not take place directly within any MCZ. There will be an increase in suspended sediment, however this will be localised to the works site, within the harbour area. Any increase in suspended sediment is unlikely to be significant and is very unlikely will not extend to the MCZs considered. As there has been recent sediment sampling for maintenance dredge activities in this area which showed that there were low levels of contaminated sediment in the area, it is not considered likely that contaminants being released by the piling activities would likely impact the MCZs		
	The MMO considers that the project will not require further assessment regarding its impact on the protected features of the MCZs.		
Name of case David Morris officer	Date	27 June 2022	

