



Appropriate Assessment Report and Determination for Maritime Usage Licence Application

From

Deep Sea Fibre Networks Ltd

FOR marine environmental surveys for the purposes of site investigation
or in support of an application under Part XXI of the Act of 2000.

Application Number No. MUL230024

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Statement of Authority

This Appropriate Assessment Report has been undertaken by the Assessment, Research and Data Unit within MARA, a specialist unit with appropriate expertise in environmental assessment.

1 Introduction

1.1 Background

Deep Sea Fibre Networks Ltd have applied to MARA for a licence to undertake marine environmental surveys for the purposes of site investigation surveys to inform the feasibility of constructing a new subsea telecoms cable system. The applicant submitted a Natura Impact Statement with their licence application in support of this appropriate assessment.

1.2 Legislative Context

This appropriate assessment report relates to a licence application for an activity in the maritime area in accordance with Part 5 of the Maritime Area Planning Act, 2021. Section 117 of the Act sets out the requirements for MARA to undertake appropriate assessment in respect of proposed maritime usage. The EU Habitats Directive (Council Directive 92/43/EC) and Birds Directive (2009/147/EC) are transposed into Irish law by the European Communities (Birds and Natural Habitats) Regulations 2011 and by Part XAB of the Planning and Development Act 2000. Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 outline requirements for screening for appropriate assessment and for undertaking appropriate assessment. In addition, a 30-day public consultation is required on the Natura Impact Statement under Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations, 2011.

1.3 Screening for Appropriate Assessment

MARA completed a screening for appropriate assessment and published an appropriate assessment screening determination on 17th December 2024. The determination stated that the proposal by Deep Sea Fibre Networks Ltd to undertake marine environmental surveys for the purposes of site investigations to inform the feasibility of constructing a new subsea telecoms cable system for landfall at Ballyloughane County Galway traversing the Irish Maritime Area to the south west of Ireland requires an appropriate assessment, as it cannot be excluded, on the basis of objective scientific information, following screening that the proposed activities, individually or in combination with other plans or projects, will have a significant effect on a European Site. A revised NIS was submitted on 12th November 2024, by the applicant, on foot of the Appropriate Assessment screening determination.

2 Description of proposed works

2.1 Description of the Proposed Maritime Usage Activity

Deep Sea Fibre Networks Ltd has applied to MARA for a maritime usage licence to undertake marine environmental surveys for the purposes of site investigations to

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inform the feasibility of constructing a new subsea telecoms cable system which is proposed to link Ireland to EU member states. Specifically, the site investigations will inform the location and design of the cable route and landfall site. Full details of the proposed surveys are included in the licence application documents.

The applicant proposes to undertake beach surveys at the proposed landfall location and inshore (water depths from 0m to 15m) and offshore (water depths of >15m to >1,500m) marine surveys.

The beach landfall surveys will comprise non-intrusive topographic, geophysical and walk over surveys. Site investigations will also be undertaken at the proposed landfall location. These will include three trial pits, a maximum of 20 bar probes between the high-water mark and 3m of water depth.

Geophysical surveys will be undertaken using multibeam echosounder (MBES), side scan sonar, marine magnetometer and sub-bottom profile equipment. These will be carried out either from small craft or unmanned survey vessels in the inshore marine environment or from a primary survey vessel in the offshore marine environment.

Offshore geotechnical site investigations will include cone penetration tests, grab samples and gravity cores or vibrocores.

The proposed maritime usage activity will commence as soon as feasible following granting of a licence. It is expected that the activity will take 8 weeks to complete over a 6-month period. This is currently scheduled for April – September 2025.

2.2 Location

It is proposed that the cable will have landfall at Ballyloughane Strand in Galway Bay, prior to traversing Galway Bay from a south westerly direction through the Irish maritime area (Figures 1 & 2). The survey corridor will be approximately 710km in length covering an area of 36,0085 hectares.

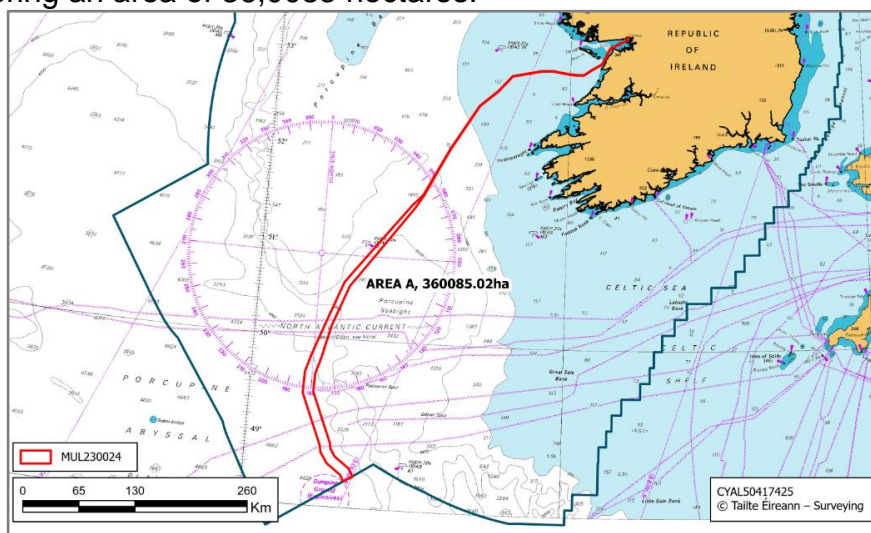


Figure 1: Proposed maritime usage area shown in red from Galway Bay to the Continental Shelf.



Figure 2: Proposed route to landfall, shown in red, to Ballyloughane Strand, Co. Galway.

3 European Sites and Qualifying Interests

3.1 Identification of European sites likely to be affected

The Screening for Appropriate Assessment Report identified European sites which were considered to be within the Zone of Influence of the proposed maritime usage activity. These European sites, their Qualifying Interests, Special Conservation Interests and possible impact as a result of the proposed project are given in Table 1 below.

3.2 Pressures and threats to Annex II species and Annex I species

The 2019 [Article 17 report](#) identified the main pressures and threats in reaching Favourable Conservation Status for EU Protected Habitats and Species in Ireland. Geotechnical surveying has been identified as a pressure and a threat on some of the species under consideration in this assessment, including harbor porpoises and seals.

The most recent Birds Directive [Article 12 report](#) identified the main pressures and threats to Annex I breeding seabirds. The report does not identify any specific threats in relation to this project, however, it is important to note that seabird populations can face cumulative pressures and threats. The in-combination impacts of this project and other relevant projects are addressed in section 4.2 *Assessment of In-combination effects*.

3.2 Description of the Qualifying Interests and Special Conservation Interests affected

Table 1: Special Areas of Conservation, Special Protected Areas, qualifying interests and conservation objectives identified as requiring further assessment.

European Site Code ¹²	Distance from the Proposed MUL area (km)	List of Qualifying Interests	Potential source of impact	Conservation objectives
Galway Bay Complex SAC [Site code IE000268]	Within MUL area	<p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Perennial vegetation of stony banks [1220]</p> <p>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</p> <p>Salicornia and other annuals colonising mud and sand [1310]</p> <p>Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330]</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Turloughs [3180]</p> <p><i>Juniperus communis</i> formations on heaths or calcareous grasslands [5130]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites) [6210]</p> <p>Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> [7210]</p> <p>Alkaline fens [7230]</p> <p>Limestone pavements [8240]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p> <p><i>Phoca vitulina</i> (Harbour Seal) [1365]</p>	Possible habitat disturbance and underwater noise disturbance	NPWS (2013) Conservation Objectives: Galway Bay Complex SAC 000268. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht
Inishmore Island SAC [Site code IE0000213]	15-20km	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible habitat disturbance and underwater	There are no specific conservation objectives relating to Harbour Porpoise in this SAC, so the conservation objectives from Blasket Islands SAC were used in their absence.

¹ The Qualifying Interests (QI's) highlighted in **bold text** are screened in for Stage 2 Appropriate Assessment.

² For international Natura sites, only Qualifying Interest species that are screened in for Stage 2 Appropriate Assessment have been listed.

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			noise disturbance	NPWS (2014) Conservation Objectives: Blasket Islands SAC 002172. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Kilkieran Bay and Islands SAC [Site code IE002111]	15-25km	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351] <i>Phoca vitulina</i> (Harbour Seal) [1365]	Possible disturbance from underwater noise	NPWS (2014) Conservation Objectives: Kilkieran Bay and Islands SAC 002111. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Lower River Shannon SAC [Site Code IE002165]	15-25km	<i>Tursiops truncatus</i> (Common Bottle-nose Dolphin) [1349] <i>Phocoena phocoena</i> (Harbour Porpoise) [1351] <i>Halichoerus grypus</i> (Grey Seal) [1364]	Possible disturbance from underwater noise	NPWS, 2012 Conservation Objectives: Lower River Shannon SAC 002165. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Blasket Islands SAC [Site code IE002172]	50-75km	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351] <i>Halichoerus grypus</i> (Grey Seal) [1364]	Possible disturbance from underwater noise	NPWS, 2014 Conservation Objectives: Blasket Islands SAC 002172. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Slyne Head Islands SAC [Site code IE000328]	50-75km	<i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349] <i>Halichoerus grypus</i> (Grey Seal) [1364]	Possible disturbance from underwater noise	NPWS, 2012 Conservation Objectives: Slyne Head Islands SAC 000328. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht
Slyne Head Peninsula SAC [Site code IE002074]	50-75km	<i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349]	Possible disturbance from underwater noise	NPWS, 2015 Conservation Objectives: Slyne Head Peninsula SAC 002074. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
West Connacht Coast SAC [Site code IE002998]	50-75km	<i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349] <i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	NPWS (2015) Conservation Objectives: West Connacht Coast SAC 002998. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Clew Bay Complex SAC [Site code IE001482]	50-75km	<i>Phoca vitulina</i> (Harbour Seal) [1365]	Possible disturbance	NPWS (2011) Conservation Objectives: Clew Bay Complex SAC 001482. Version 1. National Parks and Wildlife Service,

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			from underwater noise	Department of Arts, Heritage and the Gaeltacht.
Killala Bay/Moy Estuary SAC [Site code IE0000458]	75-100km	<i>Phoca vitulina</i> (Harbour Seal) [1365]	Possible disturbance from underwater noise	NPWS (2012) Conservation Objectives: Killala Bay/Moy Estuary SAC 000458. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Inishbofin and Inishshark SAC [Site code IE000278]	75-100km	<i>Halichoerus grypus</i> (Grey Seal) [1364]	Possible disturbance from underwater noise	NPWS (2015) Conservation Objectives: Inishbofin and Inishshark SAC 000278. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Duvillaun Islands SAC [Site code IE000495]	>100km	<i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349] <i>Halichoerus grypus</i> (Grey Seal) [1364]	Possible disturbance from underwater noise	NPWS (2013) Conservation Objectives: Duvillaun Islands SAC 000495. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht
Inishkea Islands SAC [Site code IE000507]	>100km	<i>Halichoerus grypus</i> (Grey Seal) [1364]	Possible disturbance from underwater noise	NPWS (2015) Conservation Objectives: Inishkea Islands SAC 000507. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Ballysadare Bay SAC [Site code IE000622]	>100km	<i>Phoca vitulina</i> (Harbour Seal) [1365]	Possible disturbance from underwater noise	NPWS (2013) Conservation Objectives: Ballysadare Bay SAC 000622. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Cummeen Strand/Drumcliffe Bay (Sligo Bay) SAC [Site code IE000627]	>100km	<i>Phoca vitulina</i> (Harbour Seal) [1365]	Possible disturbance from underwater noise	NPWS (2024) Conservation Objectives: Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC 000627. Version 2. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Glengarriff Harbour and Woodland SAC [Site code IE000090]	>100km	<i>Phoca vitulina</i> (Harbour Seal) [1365]	Possible disturbance from underwater noise	NPWS (2015) Conservation Objectives: Glengarriff Harbour and Woodland SAC 000090. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht

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Roaringwater Bay and Islands SAC [Site code IE000101]	>100km	<i>Halichoerus grypus</i> (Grey Seal) [1364] <i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	NPWS, 2011 Conservation Objectives: Roaringwater Bay and Islands SAC 000101. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht
Rockabill to Dalkey SAC [Site code IE003000]	>200km	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	NPWS, 2013 Conservation Objectives: Rockabill to Dalkey Island SAC 003000. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht
Kenmare River SAC [Site code IE002158]	>100km	<i>Phoca vitulina</i> (Harbour Seal) [1365] <i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	NPWS, 2013 Conservation Objectives: Kenmare River SAC 002158. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht There are no specific conservation objectives relating to Harbour Porpoise in this SAC, so the conservation objectives from Blasket Islands SAC were used in their absence. NPWS (2014) Conservation Objectives: Blasket Islands SAC 002172. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Donegal Bay (Murvagh) SAC [Site code IE0000133]	>100km	<i>Phoca vitulina</i> (Harbour Seal) [1365]	Possible disturbance from underwater noise	NPWS (2012) Conservation Objectives: Donegal Bay (Murvagh) SAC 000133. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht
Slaney River Valley SAC [Site code IE0000781]	>100km	<i>Phoca vitulina</i> (Harbour Seal) [1365]	Possible disturbance from underwater noise	NPWS (2011) Conservation Objectives: Slaney River Valley SAC 000781. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht
Slieve Tooey/Tormore Island/Loughros Beg Bay SAC [Site code IE000190]	>100km	<i>Halichoerus grypus</i> (Grey Seal) [1364]	Possible disturbance from underwater noise	NPWS (2015) Conservation Objectives: Slieve Tooey/Tormore Island/Loughros Beg Bay SAC 000190. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

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West of Ardara/Maas Road SAC [Site code: IE000197]	>100km	<i>Phoca vitulina</i> (Harbour Seal) [1365]	Possible disturbance from underwater noise	NPWS (2015) Conservation Objectives: West of Ardara/Maas Road SAC 000197. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Rutland Island and Sound SAC [Site code: IE002283]	>100km	<i>Phoca vitulina</i> (Harbour Seal) [1365]	Possible disturbance from underwater noise	NPWS (2013) Conservation Objectives: Rutland Island and Sound SAC 002283. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Belgica Mound Province SAC [Site code: IE002327]	25-50km	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351] <i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Blasket Islands and Lower River Shannon SACs were used in their absence. NPWS (2014) Conservation Objectives: Blasket Islands SAC 002172. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. NPWS (2012) Conservation Objectives: Lower River Shannon SAC 002165. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Bunduff Lough and Machair/Trawalua/Mullaghmore SAC [Site code IE000625]	>200km	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Blasket Islands and Lower River Shannon SACs were used in their absence. NPWS (2014) Conservation Objectives: Blasket Islands SAC 002172. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

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St Johns Point SAC [Site code IE000191]	>200km	<i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to this species in this SAC, so the conservation objectives from West Connaught Coast SAC were used in their absence. NPWS (2015) Conservation Objectives: West Connacht Coast SAC 002998. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Hook Head SAC [Site code IE000764]	>200km	<i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349] <i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Rockabill to Dalkey Islands and Lower River Shannon SACs were used in their absence. NPWS (2013) Conservation Objectives: Rockabill to Dalkey Island SAC 003000. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. NPWS (2012) Conservation Objectives: Lower River Shannon SAC 002165. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Carnsore Point SAC [Site code: IE002629]	>200km	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to this species in this SAC, so the conservation objectives from Rockabill to Dalkey Islands SAC were used in their absence. NPWS (2013) Conservation Objectives: Rockabill to Dalkey Island SAC 003000. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Saltee Islands SAC [Site code: IE000707]	>200km	<i>Halichoerus grypus</i> (Grey Seal) [1364]	Possible disturbance from underwater noise	NPWS (2011) Conservation Objectives: Saltee Islands SAC 000707 and Saltee Islands SPA 004002. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht

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Blackwater Bank SAC [Site code: IE002953]	>200km	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to this species in this SAC, so the conservation objectives from Rockabill to Dalkey Islands SAC were used in their absence. NPWS (2013) Conservation Objectives: Rockabill to Dalkey Island SAC 003000. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Porcupine Bank Canyon SAC [Site code: IE003001]	>100km	<i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower River Shannon SAC were used in their absence. NPWS (2012) Conservation Objectives: Lower River Shannon SAC 002165. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
South-west Porcupine Bank SAC [Site code: IE002329]	>100km	<i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower River Shannon SAC were used in their absence. NPWS (2012) Conservation Objectives: Lower River Shannon SAC 002165. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Codling Fault Zone SAC [Site code: IE003015]	>200km	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to this species in this SAC, so the conservation objectives from Rockabill to Dalkey Islands SAC were used in their absence. NPWS (2013) Conservation Objectives: Rockabill to Dalkey Island SAC 003000. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

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Lambay Island SAC [Site code: IE000204]	>200km	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to this species in this SAC, so the conservation objectives from Rockabill to Dalkey Islands SAC were used in their absence. NPWS (2013) Conservation Objectives: Rockabill to Dalkey Island SAC 003000. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Horn Head and Rinclevan SAC [Site code: IE000147]	>200km	<i>Halichoerus grypus</i> (Grey Seal) [1364]	Possible disturbance from underwater noise	NPWS (2024) Conservation Objectives: Horn Head and Rinclevan SAC 000147. Version 2. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
North Anglesey Marine / Gogledd Môn Forol [UK 0030398]	Within Management Unit for Harbour porpoise ³	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	To ensure that the integrity of the site is maintained and that it makes the best possible contribution to maintaining Favourable Conservation Status for Harbour Porpoise in UK waters
Bristol Channel Approaches / Dynesfeydd Môr Hafren [UK0030396]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	To ensure that the integrity of the site is maintained and that it makes the best possible contribution to maintaining Favourable Conservation Status for Harbour Porpoise in UK waters
North Channel [UK 0030399]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	To ensure that the integrity of the site is maintained and that it makes the best possible contribution to maintaining Favourable Conservation Status for Harbour Porpoise in UK waters
West Wales Marine / Gorllewin Cymru Forol [UK 0030397]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	To ensure that the integrity of the site is maintained and that it makes the best possible contribution to maintaining Favourable Conservation Status for Harbour Porpoise in UK waters

³ [Review of Management Unit boundaries for cetaceans in UK waters \(2023\)](#)

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Récifs et landes de la Hague [FR2500084]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower Shannon River SAC (Site code: IE002165) were used.
Anse de Vauville [FR2502019]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower Shannon River SAC (Site code: IE002165) were used.
Banc et récifs de Surtainville [FR2502018]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower Shannon River SAC (Site code: IE002165) were used.
Chausey [FR2500079]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower Shannon River SAC (Site code: IE002165) were used.
Baie du Mont Saint-Michel [FR2500077]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower Shannon River SAC (Site code: IE002165) were used.
Estuaire de la Rance [FR5300061]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower Shannon River SAC (Site code: IE002165) were used.
Baie de Lanceloux, Baie de l'Arguenon, Archipel de Saint Malo et Dinard [FR5300012]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower Shannon River SAC (Site code: IE002165) were used.
Cap d'Erquy-Cap Fréhel [FR5300011]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower Shannon River SAC (Site code: IE002165) were used.

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Baie de Saint-Brieuc – Est [FR5300066]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower Shannon River SAC (Site code: IE002165) were used.
Tregor Goëlo Est [FR5300010]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower Shannon River SAC (Site code: IE002165) were used.
Côte de Granit rose-Sept-Iles [FR5300009]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower Shannon River SAC (Site code: IE002165) were used.
Nord Bretagne DH [FR2502022]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower Shannon River SAC (Site code: IE002165) were used.
Baie de Morlaix [FR5300015]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower Shannon River SAC (Site code: IE002165) were used.
Abers - Côte des legends [FR5300017]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower Shannon River SAC (Site code: IE002165) were used.
Ouessant-Molène [FR5300018]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower Shannon River SAC (Site code: IE002165) were used.
Côtes de Crozon [FR5302006]	Within Management Unit for Harbour porpoise	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	There are no specific conservation objectives relating to these species in this SAC, so the conservation objectives from Lower Shannon River SAC (Site code: IE002165) were used.

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Inner Galway Bay SPA [Site code: IE0004031]	Within MUL area	Black-throated Diver (<i>Gavia arctica</i>) [A002] Great Northern Diver (<i>Gavia immer</i>) [A003] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Grey Heron (<i>Ardea cinerea</i>) [A028] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Wigeon (<i>Anas penelope</i>) [A050] Teal (<i>Anas crecca</i>) [A052] Red-breasted Merganser (<i>Mergus serrator</i>) [A069] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Lapwing (<i>Vanellus vanellus</i>) [A142] Dunlin (<i>Calidris alpina</i>) [A149] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182] Sandwich Tern (<i>Sterna sandvicensis</i>) [A191] Common Tern (<i>Sterna hirundo</i>) [A193] Wetland and Waterbirds [A999]	Possible disturbance from underwater noise or habitat disturbance	NPWS (2013) Conservation Objectives: Inner Galway Bay SPA 004031. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Inishmore SPA [Site code: 0004152]	15-20km	Kittiwake (<i>Rissa tridactyla</i>) [A188] Arctic Tern (<i>Sterna paradisaea</i>) [A194] Little Tern (<i>Sterna albifrons</i>) [A195] Guillemot (<i>Uria aalge</i>) [A199]	Possible disturbance from underwater noise	Conservation objectives for Inishmore SPA [004152] NPWS(2022)
Cliffs of Moher SPA [Site code: 0004005]	10-15km	Fulmar (<i>Fulmarus glacialis</i>) [A009] Kittiwake (<i>Rissa tridactyla</i>) [A188] Guillemot (<i>Uria aalge</i>) [A199] Razorbill (<i>Alca torda</i>) [A200] Puffin (<i>Fratercula arctica</i>) [A204]	Possible disturbance from underwater noise	Conservation objectives for Cliffs of Moher SPA [004005] NPWS, 2022
Loop Head SPA [Site code: IE0004119]	20-25km	Kittiwake (<i>Rissa tridactyla</i>) [A188] Guillemot (<i>Uria aalge</i>) [A199]	Possible disturbance from underwater noise	Conservation objectives for Loop Head SPA [004119] NPWS, 2022
Kerry Head SPA [Site code: IE004189]	50-75km	Fulmar (<i>Fulmarus glacialis</i>) [A009]	Possible disturbance	Conservation objectives for Kerry Head SPA [004189] NPWS, 2022

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			from underwater noise	
Dingle Peninsula SPA [Site code: IE004153]	75-100km	Fulmar (<i>Fulmarus glacialis</i>) [A009]	Possible disturbance from underwater noise	Conservation objectives for Dingle Peninsula SPA [004153] (NPWS, 2022)
Blasket Islands SPA [Site code: IE004008]	75-100km	Fulmar (<i>Fulmarus glacialis</i>) [A009] Manx Shearwater (<i>Puffinus puffinus</i>) [A013]	Possible disturbance from underwater noise	Conservation objectives for Blasket Islands SPA [004008] (NPWS, 2022)
Iveragh Peninsula SPA [Site code: IE004154]	>100km	Fulmar (<i>Fulmarus glacialis</i>) [A009]	Possible disturbance from underwater noise	Conservation objectives for Iveragh Peninsula SPA [004154] (NPWS, 2022)
Skelligs SPA [Site code: IE004007]	>100km	Fulmar (<i>Fulmarus glacialis</i>) [A009] Manx Shearwater (<i>Puffinus puffinus</i>) [A013]	Possible disturbance from underwater noise	Conservation objectives for Skelligs SPA [004007] (NPWS, 2022)
Deenish Island and Scariff Island SPA [Site code: IE004175]	>100km	Fulmar (<i>Fulmarus glacialis</i>) [A009] Manx Shearwater (<i>Puffinus puffinus</i>) [A013]	Possible disturbance from underwater noise	Conservation objectives for Deenish Island and Scariff Island SPA [004175] (NPWS, 2022)
Beara Peninsula SPA [Site code: IE004155]	>100km	Fulmar (<i>Fulmarus glacialis</i>) [A009]	Possible disturbance from underwater noise	NPWS (2022) Conservation Objectives: Beara Peninsula SPA 004155. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

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Cruagh Island SPA [Site code: IE004170]	75-100km	Manx Shearwater (<i>Puffinus puffinus</i>) [A013]	Possible disturbance from underwater noise	Conservation objectives for Cruagh Island SPA [004170] (NPWS, 2022)
High Island, Inishark and Davillaun SPA [Site code: IE004144]	75-100km	Fulmar (<i>Fulmarus glacialis</i>) [A009]	Possible disturbance from underwater noise	Conservation objectives for High Island, Inishark and Davillaun SPA [004144] (NPWS, 2022)
Clare Island SPA [Site code: IE004136]	>100km	Fulmar (<i>Fulmarus glacialis</i>) [A009]	Possible disturbance from underwater noise	Conservation objectives for Clare Island SPA [004136] (NPWS, 2022)
Duvillaun Islands SPA [Site code: IE004111]	>100km	Fulmar (<i>Fulmarus glacialis</i>) [A009]	Possible disturbance from underwater noise	Conservation objectives for Duvillaun Islands SPA [004111] (NPWS, 2022)

4 Assessment and Mitigation

4.1 Assessment of Likely/Possible Significant Impacts on European Sites and their conservation interests

The impacts that have been identified that have the potential to cause significant impacts on European sites and their designated species are habitat disturbance and disturbance from underwater noise. Any mitigation measures recommended on foot of the assessment in this section are included in Section *4.4 Mitigation Measures*.

4.1.1 Physical disturbance and habitat loss

There is potential for the marine usage activity to cause physical disturbance to habitats and habitat loss within the Galway Bay area.

Large shallow inlets and bays and reefs are designated protected habitats within the Galway Bay Complex SAC. The survey corridor will not cross either of the mapped designated habitats within the SAC. While the proposed survey works will not cross reef habitat, the works could result in minor localised sedimentation in reef adjacent to the surveys. However, it is expected that any such sedimentation would be dispersed with the natural wave action of Galway, resulting in no impact on the habitat area of the reef.

The project has the potential to cause minor sedimentation on some of the subtidal elements of the shallow inlets and bays, such as *zostera* and *maërl* communities. The survey route has been designed to avoid areas with significant communities of these types. Again, it is expected that any minor sedimentation would be dispersed with the natural wave action within these shallow waters in Galway Bay.

There is also potential for short term disturbance to sandy mud and mixed sediment community type as a result of the survey works, in particular grab samples and cores. This could result in compression and suspension of sediment in the immediate vicinity of the cable survey corridor. However, this is unlikely to be significant, due to the temporary nature of the disturbance.

Bird species in the area use the intertidal area in which some of the site investigation works will take place for foraging. The survey works could cause invertebrate mortalities along the machinery access areas and in the vicinity of the trial areas. Again, this is not expected to be significant due to the temporary nature of the activity. It is recommended that suitable mitigation to address this be included in the Maritime Usage Licence, where granted.

4.1.2 Disturbance due to underwater noise

Marine mammals depend on sound for a wide range of functions including navigation, perception of their environment, communication, prey identification and capture, and the detection of predators. The possibility of impact on marine mammals as a result of underwater acoustics generated by the proposed maritime usage activity, cannot be excluded. Therefore, it is recommended that suitable mitigation measures be included in the Maritime Usage Licence, where granted.

Diving birds such as Great Northern Diver, Manx Shearwater, Cormorant and Shag can be sensitive to disturbance from underwater noise and fatalities can occur at close distance. Flushing disturbance can be expected to displace these diving seabirds from close proximity to the survey vessel and any towed equipment, thereby limiting their exposure to the highest sound pressures generated. The likelihood of these birds being in the vicinity of a noise generating operation is low due to the surface activity associated with such operations disturbing the birds prior to commencement of the underwater noise. There is a low likelihood of interaction between the sound source and diving birds due to the relatively short exposure time when they dive, the temporary nature of the survey work, the mobile nature of the birds and the displacement of most diving species due to flushing disturbance. Therefore, it can be determined that underwater noise would be very unlikely to have a significant effect on diving seabirds in the vicinity of the survey area. No further mitigation is recommended for birds.

4.1.3 Visual and above water noise disturbance

Given the short duration of the proposed site investigations, the significance of effects on birds in the offshore environment from the proposed site investigations, including due to visual or above water noise disturbance, will be temporary and therefore, will not be significant.

Temporary displacement from boat activity and above water noise can be expected for bird species. However, this is unlikely to be significant, due to the temporary nature of the disturbance and the public nature of the landfall site.

It can be determined that above water noise is very unlikely to have a significant effect on birds in the vicinity of the proposed marine usage. No further mitigation is recommended.

4.1.4 Disturbance due to accidental incidents

The use of survey vessels to undertake the activity present a risk of diesel or oil spills which can impact foraging ability, health and mortality of species identified as susceptible to potential impacts from the proposed project. While the risks associated with this are low, the impact could be significant and mitigation is required. Therefore, it is recommended that suitable mitigation measures be included in a Maritime Usage Licence, where granted.

4.2 Assessment of In-combination effects

Article 6(3) of the Habitats Directive requires that an Appropriate Assessment be carried out in respect of any plan or project which is likely to have a significant effect on one or more European sites, either individually or in combination with other plans or projects. Therefore, regardless of whether or not the likely or possible effects of a plan or project are significant when considered in isolation, the potential for the plan or project to significantly affect European sites in combination with other past, present or foreseeable future plans or projects must also be assessed. All types of plans or projects that could, in-combination with the project under consideration, have a significant effect, should be taken into account. This in-combination assessment has been undertaken using professional and scientific judgement.

4.2.1 Defining the Cumulative Effects Spatial Scope (CESS)

Impacts of underwater noise associated with the proposed maritime usage are considered to have the widest spatial reach, with harbour porpoise being most sensitive to noise disturbance⁴. The CESS was defined at Appropriate Assessment screening stage as 10km, based on acoustic survey equipment effective deterrence ranges⁵.

4.2.2 Defining the Cumulative Effects Temporal Scope (CETS)

The temporal scope for examination of cumulative effects has been defined considering the period over which the proposed maritime usage would take place. The Natura Impact Statement states, it is anticipated that the proposed activities will take 8 weeks and will be completed over a 6-month period. A licence period of 2 years is recommended to allow for bad weather hampering completion of the proposed project. Therefore, the Cumulative Effects Temporal Scope (CETS) is 2 years.

4.2.3 Impacts and Pathway Identification

Impact	Potential Cumulative Pathway
Physical disturbance and habitat loss	Pathway requires direct spatial overlap. Potential pathway for physical disturbance and habitat loss impact where there is spatial and temporal overlap.
Disturbance from underwater noise	Pathway possible via sound travelling through water with impacts possible within CESS where there is temporal overlap with other underwater noise producing projects.
Visual and above water noise disturbance	Pathway possible via light and sound travelling through air with impacts possible within CESS where there is temporal overlap with other visual and above water noise producing projects.
Disturbance due to accidental incidents	Pathway possible via substances in the water with impacts possible within CESS where there is temporal overlap with another accidental incident.

4.2.4 Prediction:

The magnitude and extent of identified likely cumulative effects have been predicted below.

Physical disturbance and habitat loss

There is the potential for increased physical disturbance and habitat loss if other relevant projects were to take place at the same time.

Disturbance from underwater noise

There is the potential for increased underwater noise disturbance effects if other relevant projects, capable of producing underwater noise, were to take place at the same time.

Visual and above water noise disturbance

There is the potential for increased visual and above water noise disturbance if other relevant projects were to take place at the same time.

⁴ JNCC Guidance on Assessing the Significance of Noise Disturbance against Harbour Porpoise SACs Conservation Objectives (<https://data.jncc.gov.uk/data/2e60a9a0-4366-4971-9327-2bc409e09784/JNCC-Report-654-FINAL-WEB.pdf>)

⁵ Effective Deterrence Range – the radius of a circular area assumed to be disturbed.

Disturbance due to accidental incidents

There is increased potential for increased risk of accidental incidents if other relevant projects were to take place in the survey area at the same time.

4.2.5 Identification of Plans or Projects that could act in combination:

A search was carried out of relevant databases (e.g. EPA, Foreshore, MARA, planning authorities, aquaculture, *etc.*) for other plans/projects with characteristics that may cause in-combination or cumulative effects with the project being assessed, on Natura 2000 sites (4th October 2024, 18th March 2025). All relevant plans and projects within the CESS and CETS have been considered. The projects within the CESS and CETS have been considered for their potential to cause cumulative effects, in combination with the proposed maritime usage being considered in this licence application, on the qualifying interests of Special Areas of Conservation and Special Protection Areas.

Particular attention is given in the context of this in-combination assessment to the following projects:

- Maritime Usage Licence application for cable laying for Apollo Submarine Cable System Ltd (MARA Ref: LIC230033);
- Foreshore licences for site investigations to inform development of proposed offshore windfarm by Fuinneamh Sceirde Teoranta (Foreshore licences: FS007161, FS007543);
- Cable laying for IRIS sub-sea fibre optic cable (Foreshore licence: FS007426);
- Maritime Usage Licence application for marine environmental surveys to inform proposed cable route for Amazon MCS Ireland Ltd (MARA Ref: MUL230031); and,
- Proposed marine development application for construction of offshore wind turbine generators (An Bord Pleanála Ref: OA07.321697).

In addition the in-combination assessment considers the potential cumulative impacts from minor development projects, aquaculture, agriculture and wastewater discharges in the geographical area surround the proposed maritime discharge.

The following plans, related to the development of the maritime environment were also identified:

- Climate Action Plan 2024;
- Water Action Plan 2024: Ireland's third River Basin Management Plan; and,
- Galway County Development Plan (2022-2028).

These plans promote sustainable development and integrated management planning in the maritime environment. It is unlikely that any of these plans will result in a negative in-combination effect on the conservation objectives of the Natura 2000 sites.

4.2.6 In-Combination Effects Assessment conclusion

There is potential for likely significant in-combination effects on the conservation objectives of the Natura 2000 sites addressed in this appropriate assessment, where impacts from the proposed maritime usage could interact synergistically with other plans and projects, to create adverse effects on the integrity of the Natura 2000 sites. In order for synergistic interactions to occur both sources of impacts must reach a threshold of interactive potential that is of sufficient character, magnitude, duration or intensity. The assessment in Section 4.1 of this report above, has already assessed

the potential for significant effects of the proposed maritime usage on Natura 2000 sites.

While agriculture and wastewater discharges are known to be amongst the biggest pressures on water bodies in Ireland, their impacts are primarily on physico-chemical parameters such as the levels of dissolved nutrients and suspended solids. The pressures resulting from the proposed maritime usage are primarily associated with underwater noise disturbance and potential habitat disturbance and some, albeit limited, risk of fuel or oil spills. Therefore, any diffuse pollution from agriculture or wastewater in the vicinity of the proposed maritime usage combined with the pressures from the proposed maritime usage are unlikely to be of sufficient character magnitude, duration, or intensity to reach a threshold sufficient to initiate synergistic interaction.

Based on insufficient clarity on when some of the projects highlighted above will be carried out, and using the precautionary principle, there is potential for these projects to have potential in-combination effects should there be temporal overlap with the proposed maritime usage activity.

It is not possible to exclude the possibility of likely significant in-combination effects on the conservation objectives of the Natura 2000 sites considered in this assessment as a result of this proposed maritime usage activity, the relevant projects identified and the relevant plans listed above. Therefore, it is recommended that suitable mitigation measure be included in a Maritime Usage Licence relating this proposed maritime activity for the possibility of likely significant in-combination effects.

4.3 Residual Effects

This assessment has identified Likely/Possible Significant Impacts on European Sites and their conservation interests in Section 4.1 and recommends mitigation measures for each at Section 4.5 below. It is considered that the mitigation measures described and their implementation through licence conditions will remove, or reduce to imperceptible levels, all negative impacts and that residual effects will not arise.

4.4 Assessment of Transboundary effects

The mitigation measures proposed as part of this appropriate assessment will mitigate against any transboundary effects on the qualifying interests from the British and French protected sites.

4.5 Public consultation

A 30-day public consultation was undertaken commencing on 24th January 2025, with the public invited to make observations. In addition to the public consultation, observations were invited from relevant public bodies. Three (3 no.) submissions were received on foot of the public consultation, while six (6 no.) submissions were received from relevant public bodies. These submissions have been considered as part of the appropriate assessment and are summarised in the MUL Assessment Report associated with this MUL application.

4.6 Mitigation Measures

Mitigation measures for those impacts identified in Section 4.1 *Assessment of Likely/Possible Significant Impacts on European Sites and their conservation interests* are detailed below.

4.6.1 Physical disturbance and habitat loss

Mitigation is required to minimise impacts on foraging habitats in the intertidal. It is recommended a condition be included in any maritime usage licence, if granted, as follows:

Landfall site/Intertidal

- i) *The Holder shall ensure that an ecologist will be on site during all terrestrial/intertidal surveys carried out as part of this Permitted Maritime Activity in order to minimise disturbance and ensure site integrity is maintained.*
- ii) *Access to the intertidal area shall be exclusively through existing access routes.*
- iii) *Any temporary access arrangements or structures that are put in place to allow machinery access to the shore area, shall be prepared or installed in consultation with the ecologist. The site should be fully reinstated post works.*

4.6.2 Disturbance due to underwater noise

Appropriate mitigation for the effects of underwater noise on marine mammals will be the implementation of the most up to date national guidance to manage the introduction of man made sound sources into the marine environment. When carrying out geotechnical and geophysical surveys particular attention should be paid to the sections of the guidance relating to drilling (in relation to seabed cores) and geophysical acoustic surveys. It is recommended a condition be included in the licence, if granted, as mitigation as follows:

Marine Mammals

- i) *The Holder shall appoint a marine mammal observer(s) for the purposes of overseeing the Permitted Maritime Usage. The Holder shall ensure the marine mammal observer(s) shall satisfy the requirements of the most up to date national guidance. During the activity the Holder shall comply with the directions of the marine mammal observer(s).*
- ii) *The Holder shall implement risk control and mitigation measures for marine mammals in strict accordance with the most up to date national guidance.*
- iii) *The Holder shall, within 30 days of completion of the Permitted Maritime Usage, forward a report of the marine mammal observer(s) operations and mitigation undertaken, to offshore@npws.gov.ie and compliance@mara.gov.ie.*
- iv) *The Holder shall publish the report and recording and data forms on their website within 60 days of completion of the Permitted Maritime Usage unless otherwise agreed with the Grantor.*

4.6.3 Visual and above water noise disturbance

No mitigation is recommended on foot of the assessment in Section 4.1 above.

4.6.4 Disturbance due to accidental incidents

Mitigation is required to minimise the risk of impacts as a result of accidental spills from small craft or survey vessels. It is recommended a condition be included in any maritime usage licence in relation to this activity that may be granted as follows:

Accidental events

The Holder shall ensure that there is an oil pollution emergency plan on-board any survey vessels. This plan should specify:

- i) *Information on the location and detail of spill response resources on-board;*
- ii) *Information on crew training in relation to oil pollution response;*

- iii) *How crew will interface with other site investigation operators, where applicable.*

4.6.6 In-combination effects

To minimise any in-combination effects as a result of other relevant projects or plans, it is recommended a condition be included in the licence, if granted, as follows:

In-combination effects

- i) *Prior to the commencement of the Permitted Maritime Usage, the Holder shall coordinate with other authorisation holders carrying out geophysical, seismic and geotechnical activities within a 10 km radius of the site boundary.*
- ii) *Where a vessel to vessel distance of greater than 10 km cannot be maintained with respect to geophysical, seismic and geotechnical activities, the Holder shall co-ordinate with other authorisation holders to prevent temporal overlap of the activities. Where the Holder can submit evidence that there is a vessel to vessel distance of greater than 10 km, no temporal co-ordination of activities is required.*
- iii) *Where the Holder becomes aware of temporal overlap that cannot be resolved within the prescribed distance, the Holder shall notify the Grantor who shall determine the timing of activities.*
- iv) *Records of all engagements held and agreements reached, if any, shall be maintained by the Holder and made available to the Grantor if requested.*

To ensure appropriate records of all the mitigation measures are maintained, it is also recommended a condition be included in the licence, if granted, as follows:

Documentation

The Holder shall keep the following documents (if applicable) together and available for inspection by the Grantor:

- i) *a copy of the licence related to the Permitted Maritime Usage;*
- ii) *all correspondence with the Grantor;*
- iii) *up-to-date drawings, plans, and maps relating to the Permitted Maritime Usage;*
- iv) *documents and photographs as requested by the Grantor from time to time;*
- v) *the marine positional log; and*
- vi) *any elements of the licence application and associated documentation referenced in this licence.*

In addition, the Grantor may, by notice in writing, require the Holder to provide such additional information as the Grantor considers necessary in relation to any matters arising out of or in connection with this Licence. The Holder shall provide the requested information within the period specified in the notice.

5 Appropriate Assessment Conclusion


The applicant provided a Natura Impact Statement (NIS) which detailed the potential impact of the proposed project on relevant European sites and whether these impacts would adversely affect the integrity of the sites in light of their conservation objectives.

The Appropriate Assessment Screening process identified likely/possible significant impacts due to disturbance from underwater noise, visual and above water noise

disturbance, physical disturbance and habitat loss and disturbance due to accidental incidents. These likely significant impacts could not be ruled out, beyond reasonable scientific doubt, without mitigation.

The potential direct and indirect effects as a result of disturbance from underwater noise, visual and above water noise disturbance, physical disturbance and habitat loss and disturbance due to accidental incidents were identified as having the potential to cause in-combination impacts which could not be ruled out, beyond reasonable scientific doubt, without mitigation.

Mitigation measures were identified to ensure that impacts on European sites and their qualifying interests and special conservation interests do not occur. Therefore, with adherence to the mitigation measures specified in section 4.5 *Mitigation Measures*, and in view of best scientific knowledge, and of the sites' conservation objectives, the project, individually, or in-combination with other plans or projects, will not have adverse effects on European sites.

Signature and Date of Recommending Marine Advisor	 Suzanne Wylde Senior Marine Advisor Assessment, Research and Data 08 April 2025
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6 Appropriate Assessment Determination

Having considered this report, the documents submitted by Deep Sea Fibre Networks Ltd, the observations received on foot of the public consultation on the application, along with my own assessment, it can be concluded, and I determine, for the purposes of Article 6(3) of the Habitats Directive and Regulation 42(11) of the Birds and Natural Habitats Regulations, that the ***proposal to undertake marine environmental surveys for the purposes of site investigations to inform the feasibility of constructing a new subsea telecoms cable system for landfall at Ballyloughane County Galway traversing the Irish Maritime Area to the south west of Ireland (MUL230024)*** (either individually or in combination with any other plans or projects), will not adversely affect the integrity of any European sites, in view of the sites' conservation objectives, subject to the implementation of the mitigation measures specified in Section 4.5 Mitigation Measures adopted and outlined above, which must be included as conditions to any consent that may be granted in respect of the respective maritime usage licence application.

Signature and Date of Decision Maker	 John Evans Director of Assessment, Research and Data 08 April 2025
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