

MUL240034

<b>Assessment, Research and Data Unit</b> <b>Maritime Usage Licence Assessment Report</b>			
<b>To:</b>	Maritime Authorisations Unit	<b>From:</b>	Dr Ciar O'Toole Senior Marine Advisor
<b>Date</b>	18 June 2025	<b>Maritime Usage Licence Application No:</b>	MUL240034
<b>Approved by:</b>		John Evans, Director of ARD Unit	
<b>Applicant:</b>		Gas Networks Ireland, Gasworks Road, Co. Cork	
<b>Type of maritime usage in accordance with Schedule 7 of the Maritime Area Planning Act, 2021 (as amended):</b>		<i>Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000.</i>	
<b>Location of proposed Maritime Usage:</b>		Lower Shannon Estuary (2 locations)	
<b>Licence application received:</b>		6 September 2024	
<b>Stage 2 Appropriate Assessment required:</b>	Stage 2 AA not required. Screening determination made 10/06/2025	<b>Natura Impact Statement received:</b>	Not Applicable
<b>Environmental Impact Assessment considered:</b>	Not required (considered 11 June 2025)		
<b>Request for further information:</b>	26 May 2025		
<b>Responses to requests for information received:</b>	5 June 2025		
<b>Engineer consulted:</b>	Philip Newell, Senior Marine Advisor, Engineering		

## **Background**

Gas Networks Ireland (the applicant) submitted a licence application to MARA on the 6 of September 2024, to undertake marine environmental surveys at two locations in the Lower Shannon Estuary. The proposed marine survey area consists of two distinct areas, Area A and Area B (Figure1). Area A extends the width of the Shannon Estuary from the townland of Ralappane to the townland Tarbert Island and covers an area of 1661.356 hectares. Area B extends across the Shannon Estuary from the townland of Foynes Island to the townland of Ballynacragga, covering an area of 787.526 hectares. This gives a total combined area of 2448.89 hectares.

## **Project description**

The purpose of the proposed marine surveys is to assist the Department of Climate, Energy and the Environment (DCEE) to identify locations suitable for development as a Strategic Gas Emergency Reserve.

The proposed studies will provide baseline data for any future environmental assessment should the development be taken forward to planning/consent stage. The proposed works will consist of the following: -

- Deployment and retrieval of static acoustic monitoring devices (SAM).
- Deployment and retrieval of Acoustic Doppler Current Profiler (ADCP).

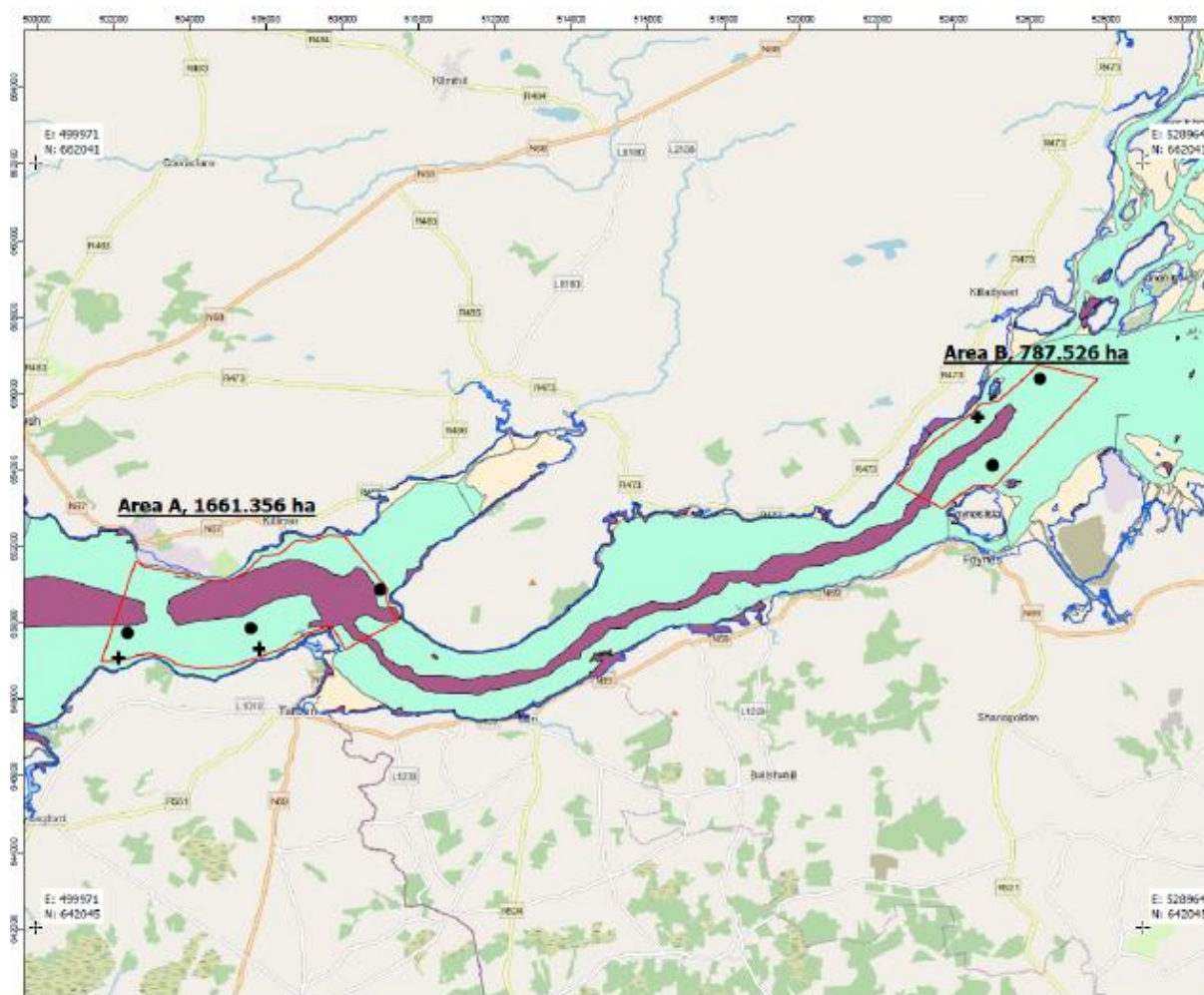
Each moored device is likely to consist of:

- two gravity-design mooring weights (circa 20 kg each)
- an acoustic release system
- one or two hydrophones (SAM devices) or one ADCP
- multiple subsurface buoys.

Proposed locations of the moored devices are shown in Figure 1. According to the submitted application, the ADCP devices will be deployed for between 4 weeks to 12 months per location, depending on data collected. Similarly, the SAM devices will be required for a period of 3 months to 2 years per location. The moored devices will be retrieved every 3 to 4 months for maintenance and data checking and then redeployed, if necessary, over a maximum of a two-year period. It is expected to take one day to retrieve and one day to deploy the equipment.

Devices will be deployed, maintained and have their data downloaded in-situ, and then recovered from a singular vessel. Devices will be retrieved using an acoustic release, eliminating the requirement for a surface buoy during deployment.

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**Figure 1 – Proposed Maritime Usage Area and Indicative Deployment Locations.** Proposed Maritime Usage Licence application areas outlined in red, with deployment locations for devices in black (cross indicates ADCP, filled circle indicates acoustic recorder) and protected habitat type (Reefs [1170] in purple and Estuaries [1130] in green as submitted by the applicant.

### National Policy and EU Directives

In undertaking the assessment of this licence application MARA had regard to the requirements of Section 121(2) of the Maritime Area Planning Act, 2021, as amended, which sets out the marine policy and legislation to which regard must be had in considering a licence application.

### National Marine Planning Framework (NMPF)

The proposal by GNI to undertake surveys to assist in the delivery of Ireland's Strategic Gas Emergency Reserve aligns with Natural Gas Storage Policy 1 of the NMPF below: -

*Subject to assessments required for the protection of the environment, and only where in keeping with the outcome of the review of the security of energy supply of Ireland's electricity and natural gas systems (which is being carried out by Department of the Environment, Climate and Communications), natural gas storage proposals should be supported.*

Considering the above, and the information submitted by the applicant in their supporting AIMU document, I am satisfied the proposed works align with at least one, and do not act significantly against any other, objective within the NMPF.

#### National Biodiversity Action Plan (NBAP)

[Ireland's 4<sup>th</sup> National Biodiversity Action Plan](#) sets the national biodiversity agenda for the period 2023-2030. The objectives of the NBAP focus on the conservation and restoration of biodiversity. Objective 2 of the NBAP is to meet urgent conservation and restoration needs. Part of its focus is to elevate efforts to tackle invasive alien species. It is recommended that a condition be included in the licence, if granted, to address the potential risks from invasive alien species.

#### Birds and Habitats Directives (79/409/EC and 92/43/EEC)

MARA made an Appropriate Assessment Screening Determination on 10 June 2025 which concluded that it can be **excluded**, on the basis of objective scientific information, that the proposed project, either individually or in combination with other plans or projects, will have a significant effect on a European site. The activity in its nature and duration is short term and very low impact and will not permanently damage or disturb any qualifying interests or special conservation interest species.

Having considered the legal framework applicable to Appropriate Assessment, the proposed maritime usage by GNI to conduct marine surveys in the Shannon Estuary will not require Stage 2 Appropriate Assessment.

The applicant has submitted an Annex IV risk assessment with their licence application. Specifically, the risk assessment addressed marine mammal activity in the vicinity of the proposed maritime usage and the potential impacts on marine mammals with respect to the effects of collision risk and visual and acoustic disturbance.

With respect to deployment, maintenance, and retrieval activities, the risk assessment states that, considering current vessel activity levels in the Shannon Estuary, the addition of a single vessel will not have any significant effects on Annex IV species. Therefore, potential impacts on Annex IV species as a result of vessel operations is considered very low.

The risk assessment further states that deployed the moorings will be non-invasive. SAM devices will not generate any sound or vibrations. The ADCP devices do produce some lower frequency sounds that are within the hearing range of high frequency marine mammal species, such as harbour porpoise. The proposed ADCP device installation will be temporary in nature and will emit a narrow sound beam (typically a few degrees in width) with a typical echo intensity profile of 80 dB (+/-1.5dB). As such, the possibility for impacts on protected

species from underwater noise associated with survey equipment can be excluded from further consideration.

The moorings will be sub-surface, with an acoustic release, resulting in no surface buoy or rising line, which will minimise risk of entanglement within the water column for any protected species.

The risk assessment concluded that due to the small scale and temporary nature of the proposed maritime usage, the project will not result in any disturbance, injury, or mortality of Annex IV species, nor will it cause deterioration or destruction of any breeding or resting sites.

I am satisfied with the conclusion of the risk assessment, that there is no risk to the relevant Annex IV species.

#### Water Framework Directive (2000/60/EC)

The Water Framework Directive (WFD) requires EU member states to protect and improve water quality in all waters to achieve at least Good Status in inland surface waters, transitional waters, coastal waters and groundwater by 2027, at the latest. The proposed maritime usage will take place in the *Lower Shannon Estuary* waterbody, which was classified as having “Good” status in the most recent [Water Quality in Ireland 2016-2021](#) assessment. This included an assessment of ecological status, physicochemical elements and hydromorphological elements. The waterbody is classified as ‘not at risk’ of failing to meet the objectives of the WFD by 2027. Due to the scale and nature of the proposed maritime usage, it is not expected that the proposed maritime usage will have any impact on the waterbody classifications.

#### Marine Strategy Framework Directive (2008/56/EC)

The Marine Strategy Framework Directive (MSFD) sets the framework for European marine environmental policy. It aims to achieve Good Environmental Status (GES) for all marine waters in Europe and protect the resource base for marine related economic and social activities. The 2024 draft assessment under Article 8 of the MSFD<sup>1</sup> states that GES has not been achieved for sea-floor integrity, marine litter and biodiversity.

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<sup>1</sup> [Ireland's Draft Marine Strategy Part 1: Article 8, 9 and 10 report 2024.](#)

*Table 1: Assessment of MFSD descriptors in relation to this maritime usage licence application.*

MFSD Descriptor	Good Environmental Status achieved <sup>2</sup>	Assessment
Biological diversity	Partially achieved	The applicant submitted an Annex IV risk assessment and a marine mammal risk assessment as part of the licence application. These reports assessed the impacts of the proposed activity.
Non-indigenous species	Yes	To ensure that the maritime usage activity does not result in the unintended introduction of non-indigenous species, the licence will include a condition relating to the control of invasive species on the hulls and in ballast water of the relevant vessels.
Population of commercial fish/shellfish	Partially achieved	The proposed maritime usage will not result in either incidental bycatch or a significant disturbance to population size of commercially exploited stocks. There are a number of sites licensed for blue mussel and Pacific oyster cultivation in various locations in the Shannon Estuary. There is no overlap between licensed aquaculture sites and the proposed MUL area. Four oyster fishery order sites for native oysters exist in the Shannon Estuary, one of which, T08-004OFO overlaps with the proposed MUL area. However, considering the small scale and temporary nature of the proposed maritime usage there will be no impact upon existing licensed aquaculture operations or on oyster fishery order areas.
Marine food webs	Unclear	The balance and diversity in marine food webs will not be impacted as a result of the proposed activity.
Eutrophication	Yes	The proposed activity does not involve the addition of nutrients to the marine environment and as such will not impact this descriptor achieving good environmental status (GES).
Sea floor integrity	No	The project involves minimal interaction with the sea floor. Given the small-scale nature of the proposed survey works, the proposed maritime usage will not have a significant impact on sea floor integrity.
Alteration of hydrographical conditions	Yes	The proposed maritime usage will not cause any hydrographical changes. Therefore, the proposed maritime usage will not impact on the GES status of this descriptor.
Concentrations of contaminants	Yes	The licence will require inclusion of a condition relating to preparation of an oil pollution emergency plan to

<sup>2</sup> As per [Ireland's Draft Marine Strategy Part 1: Article 8, 9 and 10 report 2024](#)



		mitigate for any accidental introduction of contaminants to the marine environment.
Contaminants in fish/seafood for human consumption	Yes	The proposed maritime usage activity will not result in the introduction of contaminants in fish or seafood and therefore, will not impact on the GES status of this descriptor.
Marine Litter	No	The proposed maritime usage will not result in the introduction of marine litter to the marine environment, and thus will not impact on the achievement of GES status of this descriptor.
Introduction of energy including underwater noise	Yes - minimal	The impacts of underwater noise introduced as a result of the proposed maritime activity were assessed in the appropriate assessment screening report associated with this licence application and were also considered within the Annex IV Risk Assessment.

#### Environmental Impact Assessment Directive (2014/52/EU)

MARA had regard to Schedules 5 and 7 of the Planning and Development Regulations 2001 in considering the necessity to carry out screening for environmental impact assessment. It was concluded that the project does not fall within the scope of the EIA Directive and therefore screening for environmental impact assessment is not required in this instance.

#### Climate Action and Low Carbon Development Act, 2015

Section 15(1) of the Climate Action and Low Carbon Development Act requires relevant bodies, including MARA, to perform their functions in so far as practicable in a manner consistent with the governance framework set out therein. The Act sets legally binding targets for the reduction of greenhouse gases by 2030 and net-zero emissions by 2050.

Considering the temporary and short-term nature of the proposed maritime usage, no significant increases in carbon emission are expected and no potential for indirect effects on climate change.

#### **Consideration of Other Maritime Users**

After consultation with MARA's marine engineering team, they have undertaken an assessment in relation to estate management. There does not appear to be any other significant conflicts in terms of estate management in relation to other existing consents or MAC/MUL applications on hand. The maritime usage activity, if granted, will be on a non-exclusive basis and a condition to that effect should be included in any licence which may issue. It is further recommended that a condition is included in the licence requiring the Holder to engage with the Shannon Foynes Company, as the relevant port authority, prior to commencing the proposed maritime usage to ensure there is no disruption to their operations in the Shannon Estuary.

In terms of other users of the marine area, the proposed MUL activity will have no expected negative impact on users such as fisheries, aquaculture or recreational users of the area given its small-scale temporary nature, confirmed by the site visit undertaken.

### **Site visit**

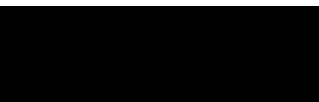
I carried out a site visit as part of the assessment of this application on 16 May 2025. The visit confirmed that the proposed activities are very small scale in nature and will not negatively impact the activities in Shannon Estuary during the period of their deployment, or during maintenance or retrieval. Considering this, I am satisfied that the usage if permitted will not impact the public use of access to or enjoyment of the maritime area in question and will not have an impact on other users.

### **Public and Public Body Consultation**

Public consultation was not undertaken on this application as screening for appropriate assessment, by MARA, under regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. 477 of 2011), determined that stage 2 appropriate assessment was not required in this instance.

### **Recommendation**

Having considered the information submitted in support of the application, I recommend that a Maritime Usage Licence in accordance with Section 119 of the Maritime Area Planning Act, 2021, as amended, be granted to Gas Networks Ireland for the purposes of undertaking marine environmental surveys within the Shannon Estuary, subject to the conditions in Appendix 1.



**Dr Ciar O'Toole**  
Senior Marine Advisor



## Appendix 1:

### Recommended term of licence for inclusion in the Particulars Schedule:

Recommended Term of licence to be two years from date of commencement.

### Recommended conditions for inclusion in *Appendix 2: Specific Conditions of the Marine Usage Licence*, if granted.

22. The Permitted Maritime Usage shall be carried out in accordance with the plans and particulars submitted in support of the application for this Licence.

**Reason: To clarify the scope of the licence and ensure protection of the marine environment.**

23. The Holder shall, a minimum 14 days prior to the commencement of the Permitted Maritime Usage, arrange for the publication of a Marine Notice with the Marine Safety Policy Division, Department of Transport. This Marine Notice shall include details of the Licence Holder and the Licence Number as granted by MARA.

**Reason: To ensure safe navigation**

24. The Holder shall not damage or interfere with any third party's property, infrastructure or fishing gear while conducting the Permitted Maritime Usage.

**Reason: To minimise impact on other users of the marine environment.**

25. Prior to the commencement of the Permitted Maritime Usage the Holder shall consult with Shannon-Foyne Port Company to plan and schedule the Permitted Maritime Usage in order that any potential disruption to port operations is managed.

**Reason: To ensure the orderly undertaking of the proposed maritime usage.**

26. The Holder shall ensure that all vessels engaged in this Permitted Maritime Usage conform to Irish Certification standards for vessels, as required by the Marine Survey Office.

**Reason: To ensure protection of the marine environment.**

27. The Holder shall take all reasonable practical measures to ensure that all vessels used in the Permitted Maritime Usage are free of invasive marine species on their hulls and in their ballast water and that all vehicles and equipment used are free of invasive marine species.

**Reason: To ensure protection of the marine environment.**

28. 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.

**Reason: To provide appropriate controls on the Permitted Maritime Usage to ensure protection of the marine environment.**