

1. Maritime Usage Licence – “Minded To” Determination Case Worker Report	
To	Dr. Karen Creed, Director of Maritime Authorisations
From	Paula O’Toole, Licensing Caseworker
Reviewed by	Jacinta Ponzi, Head of MUL Unit
Date	10/06/2025
Maritime Usage Licence Application:	
Applicant Name	Dublin City Council
Applicant Address	Dublin City Council, Civic Offices, Wood Quay, Dublin 8.
Application Received	22/01/2024
MUL Reference Number	LIC230007
Decision sought	<p>Approval sought for issuance of notice to the Applicant in accordance with Section 119(6)(b) of the Maritime Area Planning Act 2021, to inform that:</p> <p>The Maritime Area Regulatory Authority (MARA) is minded to GRANT a Maritime Usage Licence in respect of their application and the reasons why MARA is so minded.</p>
Description of works	<i>Marine environmental survey and ground investigation works in order to inform the design of proposed Point Bridge and Tom Clarke Widening Project in Dublin City.</i>
Schedule 7 activity	Marine environmental survey (site investigation)
Additional section 7 activity (if applicable)	Choose an item.
Documents submitted with application	<input checked="" type="checkbox"/> Application Form <input checked="" type="checkbox"/> Maritime Usage Map <input checked="" type="checkbox"/> Supporting Information for Screening for Appropriate Assessment (SISAA) Report <input type="checkbox"/> Natura Impact Statement (NIS) Report <input checked="" type="checkbox"/> Assessment of Impact of Maritime Usage Report (AIMU) <input checked="" type="checkbox"/> Risk Assessment for Annex IV Species Report <input type="checkbox"/> Other:
Section 117(3) notice issued: Request for Further Information -RFI	<input checked="" type="checkbox"/> YES: Date(s) of RFI(s) issued: 05/04/2024, 10/03/2025 Document(s) submitted: Updated Application and Duration of Licence Date(s) submitted: 12/04/2024, 11/03/2025 <input type="checkbox"/> Not required

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Assessment, Research & Data (ARD) Assessment:	
Consideration of Screening for EIA: Section 117(5)(a)	<input checked="" type="checkbox"/> Screening for EIA: NOT REQUIRED <input type="checkbox"/> Screening for EIA: REQUIRED Date of Report: 12/09/2024 Signed by: Mary Hegarty
Screening for Appropriate Assessment: Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. 477 of 2011)	<input checked="" type="checkbox"/> Screened IN <input type="checkbox"/> Screened OUT Date of AA Screening Report & Determination: 01/10/2024 Signed by: Mary Hegarty
If <i>SCREENED IN</i>: Was NIS/updated NIS requested in accordance with Section 117(6)(a)?	<input checked="" type="checkbox"/> YES: New NIS requested <input type="checkbox"/> YES: Updated NIS requested Date Requested: 11/10/2024 Date Received: 06/12/2024 <input type="checkbox"/> NO: Not Required
AA Screening Report and Determination published on MARA website:	Date: 01/10/2024
Public Consultation – relevant where SCREENED IN	
Date of public consultation: Section 117(6)(b)	Date starts: 03/04/2025 Date ends: 06/05/2025
Local Newspaper Name	Dublin Gazette
Local Newspaper Publication Date	03/04/2025
National Newspaper Name	Irish Times
National Newspaper Publication Date	03/04/2025
Date public consultation published on MARA website	03/04/2025
Submissions from public received?	<input checked="" type="checkbox"/> YES: Number received <u>1</u> <input type="checkbox"/> NO

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Referral to Notified Consultees, as directed by Assessment, Research & Data (ARD) Team:	
<input checked="" type="checkbox"/> Bord Iascaigh Mhara <input checked="" type="checkbox"/> Commissioners of Irish Lights <input checked="" type="checkbox"/> Department of Agriculture, Food & the Marine <input checked="" type="checkbox"/> Dept. of Environment, Climate & Communications <input checked="" type="checkbox"/> Dept. of Housing, Local Government & Heritage <input checked="" type="checkbox"/> Dept. of Transport - Marine Survey Office <input checked="" type="checkbox"/> Environmental Protection Agency <input checked="" type="checkbox"/> Geological Survey of Ireland <input checked="" type="checkbox"/> Health and Safety Authority <input checked="" type="checkbox"/> Inland Fisheries Ireland <input checked="" type="checkbox"/> Marine Institute <input checked="" type="checkbox"/> National Monuments Service <input checked="" type="checkbox"/> National Parks and Wildlife Service <input checked="" type="checkbox"/> Relevant Local Authority <input checked="" type="checkbox"/> Relevant Harbour Authority <input checked="" type="checkbox"/> The Sea Fisheries Protection Authority <input type="checkbox"/> Other:	
Observations from notified consultees received?	<input checked="" type="checkbox"/> YES: Number received 5 <input type="checkbox"/> NO
Appropriate Assessment Determination (relevant where SCREENED IN)	
AA Report & Determination	Date of final report: 08/06/2025
Determination Approved by Director of ARD Unit	<input checked="" type="checkbox"/> Yes
ARD MUL Assessment Report:	
Final ARD MUL Assessment Report <i>includes environmental & engineering reports</i>	Date of final report: 05/06/2025 Signed by: Dr. Alison McCarthy
Public Submissions taken into account in Final ARD MUL Assessment Report:	<input checked="" type="checkbox"/> YES – The <i>submission referenced the MUL application number but did not reference the application information or any of the proposed activities. As such, there is no response.</i> <input type="checkbox"/> NO <input type="checkbox"/> N/A
Notified Consultees Responses taken into account in Final ARD MUL Assessment Report:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

<input type="checkbox"/> N/A	
Upon completion of the Appropriate Assessment Determination the following specific conditions and reasons for conditions are DETERMINED by ARD: <i>(mitigation measures)</i>	
<u>Marine Mammals</u> <ul style="list-style-type: none"> 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. 	
<u>In-combination effects</u> <ul style="list-style-type: none"> 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 Licensed Area. 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. 	
Upon completion of the ARD MUL Assessment Report the following conditions and reasons for conditions are RECOMMENDED by ARD:	
Recommended term of licence for inclusion in the <i>Particulars Schedule</i>:	
1. Two years from date of commencement.	
No Reason provided	
2. The Permitted Maritime Usage shall be carried out in accordance with the plans and	

<p>particulars submitted in support of the application for this Licence.</p> <p>Reason: To clarify the scope of the licence and ensure protection of the marine environment.</p>
<p>3. This licence is for the purposes of licensing under the Act and nothing in this licence shall be construed as negating the Holder’s statutory obligations or requirements under any other Law.</p> <p>Reason: To clarify the scope of the licence</p>
<p>4. Prior to the commencement of the Permitted Maritime Usage the Holder shall consult and comply with the requirements of the Underwater Archaeology Unit of the Department of Housing Local Government and Heritage, National Monuments Service, G37, Custom House, Custom House Quay, Dublin 1, D01 W6X0.</p> <p>Reason: To ensure the protection of maritime heritage.</p>
<p>5. 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.</p> <p>Reason: To ensure safe navigation in the maritime area</p>
<p>6. The Holder shall not damage or interfere with any third party’s property, infrastructure or fishing gear while conducting the Permitted Maritime Usage.</p> <p>Reason: To minimise impact on other users of the marine environment.</p>
<p>7. Prior to the commencement of the Permitted Maritime Usage the Holder shall consult with Dublin Port Company to plan and schedule the Permitted Maritime Usage in order that any potential disruption to port operations is managed.</p> <p>Reason: To ensure the orderly undertaking of the proposed maritime usage.</p>
<p>8. 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.</p> <p>Reason: To ensure the protection of the marine environment.</p>
<p>9. The Holder shall demonstrate all reasonable practical measures are taken 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.</p> <p>Reason: To ensure the protection of the marine environment.</p>
<p>10. Marine Mammals</p> <p>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</p>

- 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.

Reason: To ensure the protection of the marine environment and protected species.

11. 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 Licensed Area.
- 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.

Reason: To ensure the protection of the marine environment and protected species.

- 12.** On completion of the activity, the Holder shall provide the United Kingdom Hydrographic Office (UKHO) at <https://ukhodataupload.admiralty.co.uk/> or sdr@UKHO.gov.uk and the INFOMAR program at support@geodata.gov.ie with the final bathymetric data from this Permitted Maritime Usage so that the appropriate charts can be updated.

Reason: To ensure the safety of navigation at sea through the availability of accurate navigational data.

- 13.** The Holder, upon completion of the Permitted Maritime Activity, shall submit details of all acoustic surveys undertaken in accordance with this licence to the Marine Environment Section, Department of Housing, Local Government and Heritage at marine.env@housing.gov.ie, or to the relevant government department. This data shall be provided in the reporting format of the OSPAR Impulsive Noise registry.

Reason: To ensure protection of the marine environment through availability of monitoring data

<p>14. Accidental events The Holder shall ensure that there is an oil pollution emergency plan on-board any survey vessels. This plan should specify:</p> <ul style="list-style-type: none"> 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. <p>Reason: To provide appropriate controls on the Permitted Maritime Usage to ensure protection of the marine environment.</p>
<p>15. The Holder shall time the Permitted Maritime Usage to ensure that geophysical surveys are undertaken in advance of all geotechnical works to ensure potential significant effects on underwater cultural heritage are avoided.</p> <p>Reason: To ensure the protection of maritime heritage.</p>
<p>16. The Holder shall take all practicable efforts to ensure that any arisings from boring and drilling activities are collected and are stored and disposed of in accordance with the relevant National and European waste legislation and protocols as may be amended from time to time.</p> <p>Reason: To ensure the protection of the marine environment.</p>

Minded to Determination of Licence Application:	
Case Worker Recommendation	<input checked="" type="checkbox"/> GRANT <input type="checkbox"/> PART GRANT <input type="checkbox"/> REFUSE
Period Specified to Applicant for submission of supplementary material in relation to the reasons for conditions: Section 119(6)(b)	<input checked="" type="checkbox"/> 21 days <input type="checkbox"/> Other:

Signed by (Caseworker)

Paula O'Toole

Date

10/06/2025

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Annex 1 – List of Accompanying Documents:		
Screening for AA Report & Determination	<input checked="" type="checkbox"/>	Link to document
Appropriate Assessment Report and Determination	<input checked="" type="checkbox"/>	Link to document
ARD MUL Assessment Report	<input checked="" type="checkbox"/>	Link to document
Proposed Licence	<input checked="" type="checkbox"/>	Link to document
Proposed Minded to Notice	<input checked="" type="checkbox"/>	Link to document
Proposed Minded to Notice Cover Letter	<input checked="" type="checkbox"/>	Link to document