

Assessment, Research and Data Unit Maritime Usage Licence Assessment Report

To:	Maritime Authorisations Unit	From:	Dr Ciar O'Toole, Senior Marine Advisor
Date	19 June 2025	Maritime Usage Licence Application No:	MUL240008
Applicant:	Mares Connect Ltd.		
Type of maritime usage activity in accordance with Schedule 7 of the Maritime Area Planning Act, 2021	<i>3. Marine environmental surveys for the purposes of site investigations or in support of an application under Part XXI of the Act of 2000.</i>		
Purpose and location of proposed Maritime Usage:	For marine survey and site investigations In the Irish Sea, off the Dublin coast between the 12 nautical mile limit and the boundary of the EEZ.		
Environmental Impact Assessment considered:	Not required (considered on 31 October 2024)		
Stage 2 Appropriate Assessment required:	Yes, AA screening and determination dated 6 January 2025, updated Natura Impact Statement (NIS) received 11 February 2025		
Request(s) for further information:	Yes, for updated NIS on 10 January 2025		
Public consultation:	Yes, from 7 May to 6 June 2025. Five public bodies submissions and no submissions from members of the public		
Engineering Consultation:	Yes, consultation with Edwin Mooney.		

1 Background

On the 4 July 2024, Mares Connect Limited was granted a foreshore licence (FS007635) by the Minister for Environment, Climate and Communications under the Foreshore Act 1933 as amended, to carry out site investigation works within the foreshore out to the 12 nautical mile limit, in order to determine the suitability of the area for cable routing and other electrical infrastructure associated with the development of a proposed 750-megawatt electricity interconnector between Ireland and Britain. Subsequent to the submission of this Foreshore Licence application, Part 5 of the Maritime Area Planning Act 2021, as amended (the “MAP Act”) was commenced, requiring Mares Connect Limited to obtain a Maritime Usage Licence (MUL) to carry out works in the area beyond the seaward limit of the foreshore (i.e. beyond the 12nm limit of the foreshore seaward to the EEZ boundary). Mares Connect Ltd. has now applied to MARA for a MUL to carry out site investigation survey works off the coast of county Dublin between the 12 nautical mile limit to the EEZ boundary in the Irish Sea. (Figure 1).

1.1 Project Description

Mares Connect Ltd. has applied to MARA for a MUL to carry out site investigation survey works off the coast of county Dublin between the 12 nautical mile limit to the EEZ boundary in the Irish Sea (Figure 1). These site investigation works are to be carried out in order to determine the suitability of the area for cable routing and other electrical infrastructure associated with the development of a proposed 750-megawatt electricity interconnector between Ireland and Britain.

The proposed MUL application area lies between the 12nm limit and the boundary of the EEZ off the coast of north County Dublin, an area 33318.80 ha in size (Figure 1). The water depths in the MUL application area range from 70 to 100 metres and the substrate ranges between sandy mud to sand (EMODNet, 2024¹).

A description of the proposed project and its associated works is given in Section 1.4 of the updated NIS submitted by the applicant and dated 11 February 2025.

The proposed site investigation works include geophysical, geotechnical, environmental sampling, over a total licence period of five years. The activities have been assessed as potentially occurring at any time of year. The proposed activities are summarised in Table 1 below.

¹ <https://emodnet.ec.europa.eu/geoviewer/>

Table 1: Proposed marine environmental surveys and the estimated duration.

Proposed activity	Estimated duration
Geotechnical surveys – boreholes, up to 93 cone penetration tests, up to 93 vibrocores, up to 19 box cores or Van Veen grabs	2 – 4 months (multiple times)
Geophysical– side scan sonar, multibeam echo-sounder, magnetometers and sub-bottom profiler	3 months (multiple times)
Benthic surveys – 3 grab samples at 19 stations (57 total)	2-3 day period
Marine Mammal surveys- using MMO observer	Over duration of works

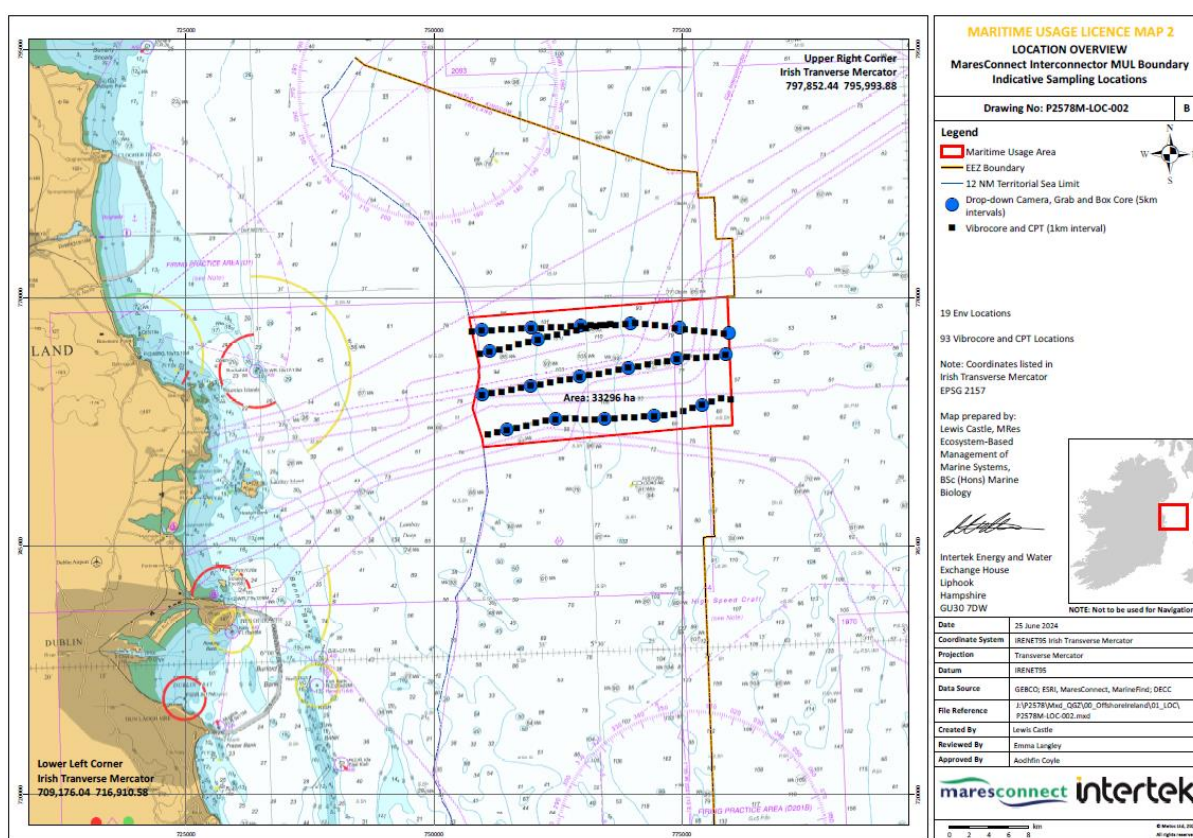


Figure 1: Map showing proposed Maritime Usage area outlined in red and showing proposed locations of benthic, geophysical and geotechnical activities, as indicated by the applicants' submissions.

2 National Policy and EU Directives

In undertaking the assessment of this proposed Maritime Usage application MARA had regard to the requirements of Section 121(2) of the Maritime Area Planning Act, 2021, which sets out the marine policy and legislation to which regard must be had in considering a proposed Maritime Usage application. These are each outlined in the following sections 2.1 to 2.10 inclusive.

2.1 National Marine Planning Framework (NMPF)

A number of environmental policies detailed in the NMPF are covered in other sections of this report, including, but not limited to, the National Biodiversity Action Plan (NBAP), the Birds and Habitat Directives, the Water Framework Directive, and the Marine Strategy Framework Directive (MSFD). Details of these environmental and ecological assessments are outlined in Sections 2.3 to 2.7 inclusive

The proposal to undertake site investigations, in order to determine the suitability of the area for cable routing and other electrical infrastructure associated with the development of a proposed 750-megawatt electricity interconnector between Ireland and Britain is directly in line with two specific chapters of the NMPF and the policies within them. These are Chapter 6 Economy whose objectives include developing a thriving ocean economy, including those employed in the marine sector, and Chapter 15 Energy -Transmission, whose objectives include supporting electricity transmission proposals that maintain or improve the security and diversity of Ireland's energy supply including interconnectors. Chapter 16 Fisheries and the policies detailed within are also relevant given the potential overlap with fishing activities during the proposed MUL activity. This is further discussed in Section 2.8.

2.2 National Biodiversity Action Plan (NBAP)

[Ireland's 4th 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 proposed Maritime Usage licence, if granted, to address the potential risks from invasive alien species.

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

MARA made an Appropriate Assessment Screening Determination on 6 January 2025 which stated that it could not exclude, 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(s).

MARA undertook an Appropriate Assessment in respect to this project. Having considered the documents submitted by the applicant, the observations received on foot of the public consultation on the application, the appropriate assessment concluded, for the purposes of Article 6(3) of the Habitats Directive and Regulation 42(11) of the Birds and Natural Habitats Regulations, that the proposed maritime usage (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. The appropriate assessment specifies mitigations that must be included as conditions in a licence that may be granted in respect of this Maritime Usage Licence application. These are also included in Appendix 1 of this report.

In accordance with the Birds and Habitats Regulations, MARA cannot grant a licence for a maritime usage activity that may contravene the system of strict protection established for Annex IV species, under the Habitats Directive. The applicant undertook an Annex IV risk assessment as part of their proposed Maritime Usage licence application. The risk assessment considered the scope of the

proposed Maritime Usage activity, relevant Annex IV species (cetaceans, sturgeon and turtles) and the potential impacts of the proposed Maritime Usage activity on the relevant Annex IV species.

I am satisfied with the conclusion of the risk assessment, that there is no risk to the relevant Annex IV species, subject to implementation of mitigation measures. The mitigation measures included as conditions for the proposed Maritime Usage licence are expected to address any potential impacts on those species. Specifically, I am recommending as a licence condition that the proposed grantee shall adhere to the most up to date national guidance in relation to underwater noise for cetaceans. Therefore, no specific mitigation for turtles is required for this proposed maritime usage activity.

2.4 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. This proposed MUL activity will occur outside of any coastal waterbody areas given its location.

The proposed maritime usage activity is unlikely to cause a decline in water quality under the parameters measured under the WFD due to the types of activities proposed, nature and distance from any WFD classified waterbodies.

2.5 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 MSFD² states that GES has not been achieved for sea-floor integrity, marine litter and biodiversity. An assessment of each of the descriptors is set out in Table 2 below.

Table 2: Assessment of MSFD descriptors in relation to this proposed Maritime Usage application.

MSFD Descriptor	Good Environmental Status achieved³	Assessment
Biological diversity	Partially achieved	The applicant submitted an NIS and an Annex IV risk assessment as part of the proposed Maritime Usage licence application. These reports assessed the impacts of the proposed maritime usage activity. Licence conditions will be included in any Maritime Usage Licence granted to mitigate any projected impact on biological diversity.
Non-indigenous species	Yes	To ensure that the proposed maritime usage activity does not result in the unintended introduction of non-indigenous species, it is recommended that a condition be included in the proposed Maritime Usage licence, if granted, to include a

² [Ireland's Draft Marine Strategy Part 1: Articles 8, 9 and 10 report 2024.](#)

³ As per [Ireland's Draft Marine Strategy Part 1: Article 8, 9 and 10 report 2024](#)

		condition relating to the control of invasive species in the hulls and ballast water of the relevant vessels
Population of commercial fish/shellfish	Partially achieved	<p>Aquaculture/Fisheries Orders: There are no aquaculture licenses or oyster fishery orders in the proposed MUL area.</p> <p>Commercial Fisheries: A number of commercial trawl fisheries overlap with the proposed maritime usage area. Species include anglerfish, various ray spp., cod, haddock, sole, lemon sole, ling, plaice, saithe, pollack, witch and <i>Nephrops</i>. Overlaps occur with several nursery and spawning areas also including those for anglerfish, cod, haddock, whiting, mackerel, sole and plaice. No impact on commercial stocks, nursery or spawning areas are expected as a result of the proposed MUL activity.</p> <p>A condition will be included in any licence granted for a fisheries liaison officer to be appointed for this maritime usage activity to liaise with fishers and a further condition included to prevent the removal or damage of any fishing gear in the proposed maritime usage area.</p>
Marine food webs	Unclear	The balance and diversity in marine food webs is not expected to be impacted in any way as a result of the proposed maritime usage activity.
Eutrophication	Yes	The proposed maritime usage activity does not involve the addition of any nutrients from external sources to the marine environment, and as such will not impact this descriptor achieving good environmental status.
Sea floor integrity	No	The benthic environment being sampled as part of this site investigation will experience temporary disturbance due to some of the methods proposed. It is not expected that the Proposed Maritime Usage will impact on the GES status of this descriptor.
Alteration of hydrographical conditions	Yes	The proposed maritime usage will not significantly alter the hydrographical conditions in the benthic area to be surveyed. It is not expected that the Proposed Maritime Usage will impact on the GES status of this descriptor.
Concentrations of contaminants	Yes	The proposed Maritime Usage licence will require inclusion of a condition relating to preparation of an oil pollution emergency plan in the case of an oil spill to mitigate for any accidental introduction of contaminants to the marine environment. There are no other pathways identified where the proposed maritime usage could negatively impact contaminant concentrations in the survey area.

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 activity will not result in additional marine litter being introduced to the marine environment and therefore, will not impact on the GES status of this descriptor.
Introduction of energy including underwater noise	Yes	The impacts of underwater noise introduced as a result of the proposed maritime usage activity are assessed in the appropriate assessment and the Annex IV Risk Assessment associated with this proposed Maritime Usage application. It is recommended that a condition relating to marine mammals and the management of underwater noise disturbance be included in the licence, if granted.

2.6 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 on this proposed Maritime Usage on the 31 October 2024. 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.

2.7 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 emissions are expected to be produced and therefore there are no potential for indirect effects on climate change.

2.8 Consideration of Other Users – the rights of the public over the foreshore in relation to navigation and fishing and the need for co-operation between users of the same maritime area

MARA had regard to the rights of other users as set out in Section 3(b) of the MAP Act 2021. Although the proposed maritime usage activity is short term and temporary in nature, a number of conditions are recommended to be included in any Maritime Usage licence granted to cover the requirements regarding navigation, fishing and other users of the licenced area.

I have consulted with the relevant Regional Marine Advisor Engineering within the ARD unit, who has undertaken an assessment in relation to estate management and other maritime users. They identified one existing overlapping Maritime Usage License and five existing Foreshore Licenses. They considered the existing MUL licence did not require further consideration. They have suggested the licence if granted, be granted on a non-exclusive basis and that a specific condition be included in relation to the avoidance of damage being caused to third party property.

They also identified an overlap with two existing foreshore licence applications, currently with the Foreshore Unit for assessment. As these were all at the application stage, they were deemed not to require further consideration in terms of estate management. The report did not identify any other conflicts in terms of estate management in relation to the proposed maritime usage.

3 Site visit

A site visit was not undertaken as the location of the proposed maritime usage activity is in the EEZ.

4 Consultations

A 30-day public consultation period was undertaken under Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations (2011, as amended) and under section 117(6)(b) of the Maritime Area Planning Act 2021, as amended, commencing on 7 May 2025, with the public invited to make observations. In total, five submissions were received by MARA during the public consultation period. No submissions were received from members of the public on foot of the public consultation.

MARA also invited observations on the proposed Maritime Usage licence application from the following public bodies: the Department of Agriculture, Food and the Marine, the Marine Institute, Bord Iascaigh Mhara, the Sea Fisheries Protection Authority, Inland Fisheries Ireland, the Environmental Protection Agency, Dublin Port, the Commissioner for Irish Lights, the Marine Survey Office of the Department of Transport, the Department of Environment, Climate and Communications, including the National Parks and Wildlife Service and the National Monuments Service. Observations were received from five of these bodies, which are summarised in Table 3 below. Table 3 also includes a response to each submission from the Marine Advisor.

Table 3: Submissions from Public bodies:

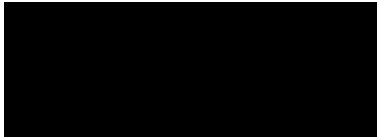
Submission Sent by	Points raised	Marine Advisor's response
Marine Survey Office (Marine Survey Office), Department of Transport	Recommends conditions to be applied to the licence if granted, which relate to: navigation safety, the need for vessels to be suitably certified, the need for the grantee to liaise with the MSO if autonomous or unmanned vehicles are to be used during the proposed maritime usage activity, the requirement for a marine notice to be issued, the requirement for Navtex broadcasts, the need to liaise with the MSO and CIL regarding the marking and lighting of any moored instruments and the particulars of information to be provided to the UK Hydrographic Office.	MARA notes the issues raised by the MSO. Conditions are included as standard in Marine Usage Licences in respect of the requirement to publish marine notices and the need for vessels to conform with the requirements of Irish certification standards. In addition, MARA is required to have regard to the rights of the public or any class of the public over the foreshore in relation to navigation – this requirement has been incorporated into our overall assessment of the licence application and a specific condition added to the licence relating to these issues will form part of any licence granted.
Commissioner of Irish Lights (CIL)	Has no concerns relating to the proposed maritime usage activity. Raises two points, one relating to the marking and lighting of possible structures in the maritime area and one relating to Appropriate Assessment.	MARA notes the submission, and the points raised by Irish Lights. It should be noted that the requirement for statutory consents in respect of the deployment of buoys lies with the Commissioner for Irish Lights. The onus is on the applicant to ensure that all the required statutory consents are in place in order for the proposed marine usage activity to go ahead. It is recommended that a condition be included in the licence, if granted, stating that the MUL does not negate the responsibility of Mares Connect Ltd. to ensure they have all the necessary consents to undertake the proposed activity.
Department of Agriculture, Food and the Marine	Considers there will be activities coincidental with fishing operations in the area over the duration of the licence, includes comments and observations from the Fisheries section of the Marine Institute which relate to possible overlap with fishing grounds, with impacts on fishing activities expected to be minor and temporary.	MARA notes the content of the submission from DAFM, with additional comments from the Marine Institute and BIM referenced in their submission. MARA welcomes DAFMs comments regarding the NMPPF, which are considered in Section 2.2 above. MARA welcomes DAFM's noting that a Fisheries Liaison Officer has already been appointed for this project.

MUL240008

	Includes comments from Bord Iascaigh Mhara who do not consider the proposed MUL activity will cause significant disruption or displacement of fishing activities. DAFM notes that the project has appointed a Fisheries Liaison Officer who is consulting with local stakeholders.	
Marine Institute	A second, separate submission from the Marine Institute points out that the route for surveying is used by various fisheries. It also notes the proposed MUL area overlaps with the spawning and nursery grounds of several fish species. Due to the nature of the proposed MUL activity, it considers the impact on fisheries and spawning and nursery grounds to be minor	MARA notes the Marine Institute's submission. The possible interaction with fisheries is considered in Section 2.5 of this report and in the recommended licence conditions in Appendix 1. MARA notes particularly the MI's point regarding cumulative effects, which appears to refer to the in-combination section of the Appropriate Assessment, which did not consider fish species. MARA however notes and agrees with the point regarding further work on cumulative effects across the ecosystem as a whole.
Department of Housing, Local Government and Heritage, including submissions on Underwater Archaeology and Nature Conservation	Provides recommendations and a number of suggested conditions in relation to Underwater Archaeology to be applied to the proposed Licence if granted In relation to Nature Conservation, the submission requests all mitigations outlined in Section 4.4 of the applicants NIS are implemented in full, with specific points noted regarding diving bids, MMO monitoring and potential in-combination impacts.	MARA notes the information submitted and the concerns raised by the DHLGH. The submission includes a detailed list of requirements for mitigating impacts on underwater archaeology. It is recommended that any licence granted should include a condition to consult with, and comply with the requirements of, the National Monuments Service prior to commencing the proposed maritime usage. MARA notes the submitted comments regarding Nature Conservation and confirms these have been considered as part of this assessment, with relevant conditions outlined in Appendix 1.

6 Conclusion and Recommendations

Having considered all the information submitted regarding this application, I recommend the granting of a Maritime Usage Licence under Section 119 of the MAP Act for this application subject to inclusion of the conditions contained in Appendix 1.



Dr Ciar O'Toole
Senior Marine Advisor

APPENDIX I

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

1. Five years from date of commencement.

Recommended Conditions for inclusion in the *Specific Conditions*:

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 this licence and ensure protection of the marine environment.*

23. 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, and comply with all applicable requirements set forth by the Unit.

Reason: *To ensure protection of maritime heritage*

24. 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 in the maritime area*

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

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

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 demonstrate that 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 are free of invasive marine species.

Reason: *To ensure protection of the marine environment*

28. 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.

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

29 Birds

Where the Holder observes significant clusters of birds, actively fishing and/or diving, within 500m of the survey vessel, in carrying out the Permitted Maritime Usage, the survey route shall be altered to maintain a 500m buffer from the birds. Appropriate records must be retained by the Holder.

Reason: *To ensure protection of the marine environment*

30. 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.

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

- 31. 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 and the protection of the marine environment through availability of monitoring data.*

- 32. The Holder, upon completion of the Permitted Maritime Activity, shall submit details of all acoustic surveys undertaken in accordance with this licence to Marine Environment,

Department of Housing, Local Government and Heritage at marine.env@housing.gov.ie. 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.*

33. 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.*

34. At least two weeks prior to the commencement, and for the duration, of the Permitted Maritime Usage the Holder shall engage a Fisheries Liaison Officer to consult with and fully inform relevant fishers in order that interactions with ongoing fishing activities in the area are minimised during the course of the Permitted Maritime Usage.

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

35. 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.

Reason: *To ensure the protection of maritime heritage*