

Application for a Maritime Usage Licence under the Maritime Area Planning Act 2021

Important Information

Before completing this form please read the declaration and consent at the end of the application form

It is important to note that a change in applicant name will require a new application.

This application and supporting documentation should be submitted by email to licence@mara.gov.ie

Please complete the form electronically. Type details in the boxes provided, space will expand as you type. Please complete form to a high level, i.e. give comprehensive answers to questions, answers which only reference supporting documentation are not sufficient.

Maritime Usage Licence:

Part 5 (sections 110 to 133) of the Maritime Area Planning Act 2021 (MAPA) provides for the granting of maritime usage licences.

Section 112 of the Act states that the Maritime Area Regulatory Authority (MARA) is the competent authority for the purposes of Part 5 of the European Communities (Birds and Natural Habitats) regulations 2011 ([S.I No. 477 of 2011](#)) and appropriate assessments to which that Part applies.

Section 114 of the Act states that the Minister may by regulations provide for class of Schedule 7 usage to be exempted usage for the purposes of this Part.

[Schedule 7](#) of the Act lists the Maritime Usages that may be undertaken in the maritime area pursuant to licence.

[Schedule 8](#) of the Act lists the types of conditions that MARA may attach to a licence.

Privacy Policy:

MARA may require you to provide certain personal data in order to carry out our legislative and administrative functions. MARA will treat all personal data that you provide as confidential and will process your details in accordance with its obligations under data protection legislation, including the Data Protection Act 2018 and the EU General Data Protection Regulation (GDPR).

A Privacy Statement explaining how MARA, as the Data Controller, will process the personal data you provide, how that information will be used and what rights you may exercise in relation to your personal data, is available in this link: [Privacy Statement](#).

Freedom of Information (FOI)/ Access to Information on the Environment (AIE)

Applicants should be aware that under the Freedom of Information Act 2014 and the European Communities (Access to Information on the Environment) Regulations 2007 to 2018, information provided by them to MARA may be liable to be disclosed.

Applicants are asked to consider if any of the information supplied by them in their application should not be disclosed and clearly identify the specific sections of their application containing such information, specifying the reasons for its confidentiality/sensitivity. MARA will consult with applicants about this information before making a decision on any Freedom of Information/Access to Information on the Environment request received.

MARA
2nd Floor, Menapia House,
Drinagh Business Park,
Drinagh,
Wexford,
Y35RF29

www.maritimeregulator.ie

Part 1: Applicant Information

1.1 Applicant Details

Name of Applicant (the name that will appear on the licence)	Uisce Éireann
Company/Organisation (if applicable)	Uisce Éireann
Address/Company Address	Colvill House, 24-26 Talbot St, Dublin 1
Eircode/Postcode	D01 NP86
Contact Name within Company/Organisation	██████████
Contact Phone No.	██████████
Contact Email Address	██████████@water.ie
Is the company registered in Ireland for tax purposes?	Yes

1.2 Contact Details (if different from above)

Full Name	Not Applicable
Address	Not Applicable
Eircode/Postcode	Not Applicable
Contact Name	Not Applicable
Contact Phone No.	Not Applicable
Contact Email Address	Not Applicable

1.3 Agent Representing Applicant (if applicable)

Person/Agency acting on behalf of Applicant	Nicholas O'Dwyer Ltd
Address	Unit 4E, Nutgrove Office Park, Churchtown Upper, Dublin, Ireland
Eircode/Postcode	D14 V3F6
Contact Name (if applicable)	██████████
Contact Phone No.	██████████
Contact Email address	██████████@nodwyer.com

1.4 Applicant's Legal Advisor (if applicable)

Name/Company Name	Uisce Éireann Legal Services
Address	Colvill House, 24-26 Talbot St, Dublin 1
Eircode/Postcode	D01 NP86
Contact Name (if applicable)	██████████
Contact Phone No.	██████████
Contact Email address	██████████@water.ie

<u>Part 2: Proposal Details (Attach additional documents as required)</u>	
2.1	In relation to this application, have you previously applied for a declaration as to whether or not a licence was required for this usage? If so, please provide the reference number associated with that application.
No	
2.2	Specify the Maritime Usage(s) being applied for with reference to Schedule 7 of the Maritime Area Planning Act 2021 as amended:
2. Marine environmental surveys for the purposes of scientific discovery or research	
2.3	Description of proposed Maritime Usage.
Uisce Éireann intends to apply to MARA for a maritime usage license to conduct a strategic modelling study of water currents and bathymetry along a section of the South Cork Coast. The modelling study shall be used to establish compliance of existing and future Uisce Éireann assets with relevant legislation and inform future investment decisions. The study requires the deployment of up to nine static Acoustic Doppler Current Profilers (ADCPs) at separate locations within the study area. Ancillary instruments, to collect salinity and temperature data, may also be contained within the trawl resistant frames in which the ADCPs will be deployed. Boat based ADCP surveys and a bathymetric survey (multibeam and single beam) are also required. The proposed project is located off the South Cork Coast between Cork Harbour and Roaring Waters Bay. The proposed studies are supporting the design and consenting of essential wastewater infrastructure to facilitate growth in communities, including provision of housing. These surveys are serving 1 agglomeration (Castletownshend) that was listed in the EPA 2022 Urban Wastewater Report an “Area Discharging Raw Sewage”, and non-compliant with Urban Wastewater Treatment Directive. Where there is no wastewater treatment, Ireland is at risk of infringement proceedings from the European Court of Justice for non-compliance with the UWWTD. Accordingly, these marine survey works are vital to the timely delivery of this critical water infrastructure to ensure Ireland’s compliance with EU Directives, to protect and enhance our environment and to enable sustainable growth in our communities. The monitoring requires the deployment of the following instruments. <u>Fixed ADCPs</u> An Acoustic Doppler Current Profiler (ADCP) is a hydrostatic current meter used to measure water current velocities over a depth range using the doppler effect of sound waves scattered back from particles within the water column. In the present case ADCPs operating in the range of 600 Khz or 1 Mhz will be used. The instrument emits “pings” of sound at a sampling rate of 1-minute average every 10 minutes. <u>Vessel Based ADCPs</u> The Vessel mounted ADCP surveys will be conducted using a TRDI WH Monitor 600kHz ADCP (or similar) to an aluminium pole that will be mounted to the side of the vessel ensuring the ADCP is deployed below the surface of the water. Measurements will be taken	

periodically at set stations as part of a transect with is repeatedly transversed over a tidal cycle, or taken continuously as the vessel remains on station over a tidal cycle.

Water Sampling

Water sampling will be undertaken concurrently with the VMADCP surveys. Periodically samples will be taken from the surface layer of the water column via bucket and telescopic arm, and collected and stored for subsequent analyses.

CTD Monitoring

Concurrently with the VMADCP surveys CTD and DO surveys will take place from the vessel. This will involve deploying a Sonde at set intervals for the duration of the tidal survey at each VMADCP location. The sonde will be lowered to just below the surface of the water from the vessel, the sonde will be allowed to settle at the surface of the water before being lowered to the seabed, where the instrument will be lifted from the seabed and allow the values returned to the hand-held device to settle. Once the values from the sonde have settled it will be slowly lifted back to the sea surface and back onboard the vessel.

Bathymetry

Surveying of intertidal areas may require a combination of methods including; Single beam & Multibeam Echosounders, LIDAR, GPS rover.

Tidal Gauges

The inshore tide gauge should be mounted on either a galvanized steel pole to the side of a suitable pier or other permanent fixed structure. Installation should take place on a very low tide so that the mountings can be attached as low as possible down the pier wall to ensure the sensor is below chart datum.

A small survey vessel, likely to be no larger than 16m length, 6m beam and 2m draught will be used.

2.4 Describe the nature and scale of any structure to be erected in the maritime area.

The fixed ADCPs and the tidal gauges are the only elements of the works that are to be erected in the maritime area.

Fixed ADCPs

The fixed ADCPs are contained within a trawl resistant bottom mount frame ca. 1.8m x 1.3m x 0.6m with a weight of approximately 300kg. The frame is attached to a ground line, a clump weight and to an acoustic release system carrying a rope retrieval system. The frame also houses a recovery line attached to a small rigid buoy which is held in place by an acoustic release, which releases the buoy on command from a deck unit. Also housed within the frame is lead ballast to secure the frame to the seabed. Additional instrumentation to collect salinity and temperature data may also be contained within the frame. An acoustic pinger is also mounted on the frame to aid in the recovery of the frame in the vent of the acoustic release not firing. The frame is deployed with a grapple hook and floating nylon line to serve as a backup means of recovery.

Tidal Gauges

The gauge will consist of a robust, weather-resistant sensor housed in a durable casing, mounted securely on a fixed structure such as a pier or seawall. Installation should take place on a very low tide so that the mountings can be attached as low as possible down the

pier wall to ensure the sensor is below chart datum. The gauge will have a minimal footprint, and will be installed in compliance with environmental and safety standards to ensure minimal disruption to maritime activities and the surrounding ecosystem.
2.5 Proposed licence duration
5 Years
2.6 Indicative timing of the works/activity: (i) Start date (ii) Duration (iii) Any other information relevant to timing.
Works are proposed to commence in the summer of 2025 and continue into 2026 for the monitoring and sampling, the units will emit “pings” of sound in the range of 600 Khz or 1 Mhz at a sampling rate of 1-minute average every 10 minutes. The vessel based profiling will be at set location for 30mins to 1hr intervals and/or deployed at a single location for 13 hours. The fixed ADCPs will be left in-situ for the sampling duration which will be no less than 32 days and will commence 2025 and continue into 2026, with the possibility of phased deployments of ADCPs from then onwards for a further year until all areas of interest have been surveyed. Water sampling and CTD measurements will be carried out periodically over the same 13-hour period. The tide gauge will be installed for a minimum of 3 months, coinciding with all other sampling.
2.7 Do the proposed maritime usages provide for public use, commercial use or private use? Provide details.
The proposed works will gather information on water currents, bathymetry and ancillary data on temperature, conductivity and salinity along the South Cork Coast. This data is required by Uisce Éireann in order for them to carry out numerical modelling for the purposes of informing future design and installation of wastewater treatment and to examine the impact that wastewater causes on water quality and designated shellfish waters in the surrounding areas.
2.8 Could the proposed works restrict public use/enjoyment of the nearshore e.g. fishing, sailing, surfing, swimming, walking or other activities? Provide details.
The works will be temporary and will only take up a very small area of the foreshore at a time for a matter of hours in any one location. Any restriction will be minor and temporary. A notice to mariners will be issued in advance of any marine survey activities. In addition, there will be ongoing stakeholder engagement with other marine users throughout the survey period.
2.9 Please outline any engagements that have taken place with marine users or other stakeholders in the proposed area that may be affected by the proposal and attach supporting documentation where relevant.
No consultations have taken place with any other relevant authorities.
2.10 Describe briefly any consultations undertaken with other relevant authorities (e.g. Local Authority, Port/Harbour authority etc.) or State Agencies. e.g. National Parks & Wildlife Service, National Monuments Service of Department of Housing, Local Government and Heritage.
Uisce Éireann have chaired and participated in Stakeholder Consultation with the SFPA and MI with respect to the assessment of impacts of assets on marine waters.
2.11 Please provide the reference number and title of any existing Foreshore licence you may hold within the footprint, or otherwise in the vicinity of the proposed Maritime Usage area.
FS007046 - Irish Water Site Investigation for Storm Water Outfall Extension, Kinsale

• FS006985 - Irish Water - Storm Outfall Pipe at Gibbon's Quay, Kinsale • FS005727 - Irish Water - Baltimore Sewerage Scheme
2.12 Please provide the reference number of any current application for a Foreshore Licence to the Minister for Housing, Local Government and Heritage. Does this application for a foreshore licence relate to or impact any part of the maritime area the subject of this licence application? If so, please provide details of the foreshore licence application.
None Identified.
2.13 What environmental reports, if any, have you submitted with this application? (Supporting information for screening for Appropriate Assessment/ Natura Impact Statement/ Risk Assessment for Annex IV Species/ Assessment of Impact on the Maritime Usage Report)
• Supporting information for screening for Appropriate Assessment • Natura Impact Statement • Assessment of Impact on the Maritime Usage Report • Annex IV Species Risk Assessment

Part 3: Location and Spatial Extent of Proposed Maritime Area (Attach additional documents as required)	
3.1 Location of proposed Maritime Usage	
The Maritime Usage Area is split across 6 areas. Area A is located off Kinsale Harbour, Area B is located off Courtmacsherry Bay, Area C is located off Clonakilty Bay, Area D is located off Glandore Bay, Area E is located by Toe Head, and Area F is located around Roaringwater Bay.	
3.2 Total size of the proposed Maritime Area (in m², ha or km², as appropriate).	
Area A = 28.97 km² Area B = 28.47 km² Area C = 16.75 km² Area D = 30.57 km² Area E = 32.35 km² Area F = 52.4 km² Total = 189.51 km²	
3.3 Please provide the distance of the main body of the proposed maritime area from the shore at its closest point in km.	
0km – at the shore	
3.4 Is any of the maritime area in the proposed site in private ownership? If yes please provide documentary evidence of same (e.g. folio).	
No.	
3.5 Any other site details considered relevant:	
None Identified.	

Part 4: Maps and Drawings. Please refer to Technical Guidance on map and drawing requirements.	
4.1	Please draft a map, titled “Licence Map”, outlining the proposed Maritime Area in accordance with the Technical Guidance for Maritime Area Licence Applications and submit same with this application.
4.2	Please submit GIS Shapefiles, in accordance with the Applicant Technical Guidance Note and submit same with this application.
4.3	Please list any Admiralty Charts, Maps, GIS Shapefiles and/or other Drawings submitted with this application. • 20952-FL-WC-100: Overall Proposed MUL Map • 20952-FL-WC-101: Proposed MUL Map A • 20952-FL-WC-102: Site Layout Map A • 20952-FL-WC-103: Proposed MUL Map B • 20952-FL-WC-104: Site Layout Map B • 20952-FL-WC-105: Proposed MUL Map C • 20952-FL-WC-106: Site Layout Map C • 20952-FL-WC-107: Proposed MUL Map D • 20952-FL-WC-108: Site Layout Map D • 20952-FL-WC-109: Proposed MUL Map E • 20952-FL-WC-110: Site Layout Map E • 20952-FL-WC-111: Proposed MUL Map F • 20952-FL-WC-112: Site Layout Map F • 20952-FL-WC-113: Plan and Elevation of Structure

Part 5: Fishing/Aquaculture Considerations:

5.1 Is the proposal located in proximity to any of the following:

- aquaculture operation
- designated Shellfish Growing Waters
- fish spawning ground
- other sensitive fisheries location

Please Illustrate on appropriate chart including distance in Km.

Commercial fisheries

- Pot fishing occurs within the subtidal areas of all of the proposed licence areas. See figure 2 in the AIMU Report.
- A dredge fishery occurs within sections of areas A (surf clam) and B (surf clam and cockle). See figure 2 in the AIMU Report.
- An extensive Scallop dredge fishery is present within Roaringwater Bay (Area F). See figure 2 in the AIMU Report.
- Periwinkle Harvesting Collecting Sites are present within discrete areas of sections A and B. These are outside of the range of the proposed surveys.
- Gill netting occurs around Sherkin Island (Area F) within Roaringwater Bay.
- Mixed demersal bottom trawling occurs at the southern section of (Area F).

Nursery grounds for Horse mackerel, Mackerel and Whiting and Nursery spawning grounds for Whiting are present across the proposed licence areas and the adjacent seas.

The proposed project may cause temporary disturbance to those operating these fisheries should they be operating during the proposed survey duration. However, this would be limited to temporary disturbance over a number of days. The potential for gear snagging is possible should ADCP deployment occur within dredge fisheries areas (Areas A, B and F). Measures to avoid this are detailed in the summary of mitigations: Human in the AIMU Report.

No disturbance or damage to the fishery itself or any nursery or spawning grounds are considered possible.

Annex II fish species

The proposed project is outside of the zone of influence of any Annex II fish species so no impacts are considered possible.

Aquaculture

There is an aquaculture licenced site (pacific oyster) located within proposed licence area A (inner Kinsale Harbour), see Figure 2 in the AIMU Report, and across extensive areas of Roaringwater Bay (Blue Mussel, Pacific Oyster, European Flat Oyster, Great Atlantic Scallop, Queen Scallop, Stony Sea Urchin, Red Seaweeds, Green Seaweeds and Brown Seaweeds), see figure 3 in the AIMU Report. There are no other aquaculture licenced areas within any of the additional four licenced 13 areas. Multibeam surveys over the intertidal area will, by necessity, avoid the aquaculture licence areas within Kinsale Harbour and Roaringwater Bay therefore no impact is possible.

5.2 Are there other potential impacts of the proposal on fishing/aquaculture in the area? If yes, please describe.

None Identified.

5.3 Are there any measures proposed to mitigate potential impacts on fisheries or aquaculture? If yes, please describe.

Additional mitigation to avoid impacts on fishers will include the following measures:

Where ADCP deployment is required within the dredge fisheries sections within Areas A, B and F, fishers will be consulted in advance to ensure no risk of snagging occurs.

Declaration and Consent:

The details provided here are correct to the best of my knowledge.

I understand that no works will be commenced, by the applicant or the applicant's agents on the proposed site, without a valid licence from MARA. The granting of any Maritime Usage Licence will not give rise on the part of the applicant to any expectation whatsoever for, right or entitlement to a grant of any future licence in respect of all or any part of any area of the Maritime Area.

By submitting this application form, the applicant agrees that the details provided (with personal contact details redacted) are to be published on MARA's website and also that the full information provided including contact details are to be processed and retained by MARA and shared with all relevant public authorities in furtherance of consideration for a Maritime Usage Licence under the MAPA.

I give consent to MARA and its agents to copy this application and to make (a redacted) copy available for inspection and copying by the public. This consent relates to this application, to supporting documentation submitted with the application, to any further information, or submission provided by the applicant or on the applicant's behalf, including any supplementary material submitted in response to a notice to determine notice in respect of this licence application, and to the publication of the licence document.

Signed for and on behalf of the applicant:

[Redacted Signature]

Name of Signatory (block letters):

[Redacted Name]

Position Held:

SENIOR ENVIRONMENTAL CONSULTANT

Date:

31/10/2024 (REVISED) 01/10/2025

Applicant Checklist	
Document	Included
Application Form (Parts 2 to 5 inclusive)	☒
Supporting Information for Screening for Appropriate Assessment (SISAA) Report	☒
Risk Assessment for Annex IV Species Report	☒
Natura Impact Statement (NIS), if initially included	☒
Assessment of Impact of the Maritime Usage (AIMU) Report	☒
Schedule of Works	☒
Licence Mapping (including GIS Shapefiles)	☒
Other (Please list below)	

Other