

Assessment, Research and Data Unit			
To:	Maritime Authorisations Unit	From:	Dr. Alison McCarthy Senior Marine Advisor
Date:	20/10/2025	Maritime Usage Licence Application No:	MUL240023
Applicant:	Iarnród Éireann, Engineering & New Works Building, Inchicore, Dublin 8		
Title:	Response to Supplementary Material submitted by the applicant on Minded to Determination and Reasons for the Conditions		

Introduction

I have considered the issues raised by Iarnród Éireann (the applicant) on 14/10/2025 in their response to the Minded to Determination Notice and Proposed Licence issued by MARA on 30/09/2025. This report sets out the supplementary material submitted by the applicant and the recommendation from the Assessment Research and Data (ARD) Unit following a technical examination of the submission.

Specific Condition 26:

26. Birds

The Holder shall not undertake the Permitted Maritime Usage as follows:

- (i) The Holder shall not undertake the Permitted Maritime Usage (with the exception of bird count surveys) between 1st December and 1st March annually, to ensure least disturbance to known bird overwintering areas.
- (ii) The Holder shall not undertake the Permitted Maritime Usage in the site identified as "Area D" between 30th April and 1st August annually to ensure least disturbance to known bird nesting areas.

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

Applicant's submission:

The applicant has sought clarification in relation to part (ii) of Specific Condition 26, as follows:

1. Confirmation has been requested on whether this restriction applies to all survey activities, including offshore surveys, which in the opinion of the applicant, are unlikely to disturb nesting birds within Area D.
2. The applicant has queried whether the restriction applies to all of Area D and whether the spatial extent of the restriction can be refined to specific sensitive locations within Area D, where nesting activity has been confirmed or is most likely. The applicant has offered to submit further ecological data or mitigation proposals to ensure the project proceeds in a manner that aligns with conservation objectives.

MARA Response:

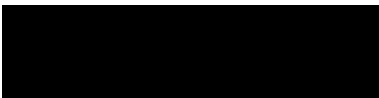
It is noted that the applicant sought two clarifications on Specific Condition 26 only, rather than providing supplementary material relating to the reasons for the condition in accordance with Section 119(6)(b)(ii) of the Maritime Area Planning Act 2021, as amended.

1. In relation to the first query, in part (ii) of Specific Condition 26, the Permitted Maritime Usage applies to all of the surveys which were applied for under the MUL application. The survey activities applied for include coastal intertidal and subtidal surveys only.
2. In relation to the second query, the restriction applies to all of Area D. The applicant has not submitted any relevant material in this submission pertaining to the reason for the condition and thus MARA cannot consider any changes to the spatial extent of the restriction to specific sensitive locations within Area D.

Recommendation:

Specific Condition 26

No change



Dr Alison McCarthy
Senior Marine Advisor
20/10/2025

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