

26/09/2025

Our Ref: 20952/RC/20250926

Maritime Area Regulatory Agency
2nd Floor,
Menapia House,
Drinagh Business Park,
Drinagh,
Wexford,
Y35RF29.

RE: UISCE EIREANN

MARITIME USAGE LICENCE APPLICATION REFERENCE: MUL240026

Dear Ms O'Toole,

We refer to your correspondence dated 28/08/2025 regarding the above-referenced Maritime Usage Licence application. We note the request for additional information under Section 117(3) of the Maritime Area Planning Act 2021 and have provided a respond to each of the points raised below.

1. Relevant Usage under Schedule 7

Under Schedule 7 of the Maritime Planning Act 2021 as amended, the proposed activities fall under Schedule 7(3) - Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000.

2. Final ADCP Locations

Final locations would be subject to confirmation during the deployment process when predeployment checks are undertaken to ensure sites can be accessed safely and will allow for effective data capture (e.g. for fixed ADCPs, ensure there are no local conditions which would cause frame to drag or tip over). Given the dynamic nature of the environments, this is necessary, however it would be envisioned that final locations would be within the immediate vicinity.

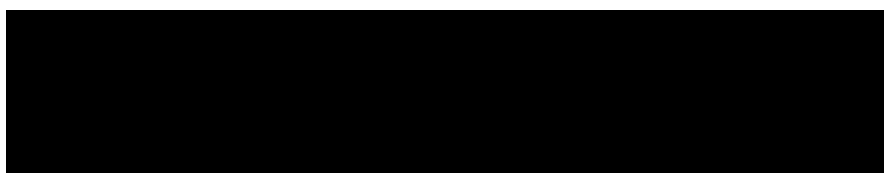
3. Bathymetric Survey Locations

Refer to Figure 1, 2, 3, 5, 6, 7 of the referenced report.

4. Tide Gauge Locations

2no. tide gauges are proposed as part of the overall survey campaign; 1no located within Wicklow Harbour and 1no. within Courtown Harbour, within the vicinity of the Lifeboat Station and Pier in both.

Pressure-based tide gauges are proposed for installation. These shall be mounted on existing harbour infrastructure. Given the passive nature of the instruments, and in accordance with MARA Circular MP01/2025, this element of the survey campaign can be considered to be not included in the application of the definition of maritime usage and not considered relevant under the MUL application.



5. Tide Gauge Impacts

Refer to item 4 response.

6. LiDAR and GPS Rover Bathymetric Data

The locations where additional bathymetric data may be required is outlined in the AIMU. Reference to all means of data collection to be adopted was included in the application to provide context and illustrate that all efforts are being made to minimise vessel based surveying.

GPS Rover surveys will be limited to terrestrial sites not on the foreshore, and therefore not considered relevant under the MUL application. Uisce Éireann note that in line with the definition of the "Maritime Area" as set out in the Maritime Area Planning Act 2021 and the "Foreshore" as set out in the Planning and Development and Foreshore (Amendment) Act 2022, GPS rover survey activities are taking place outside the Maritime Area. Reference to this activity has been included in documentation as it forms part of the overall study monitoring campaign, however Uisce Éireann is not seeking consent for this activity from MARA.

It is envisioned that LiDAR surveying will be undertaken across all areas where bathymetric data has been identified as possibly required (refer to Figure 1, 2, 3, 5, 6, 7 of the AIMU report). Uisce Éireann note that in line with the definition of the "Maritime Area" as set out in the Maritime Area Planning Act 2021 and the "Foreshore" as set out in the Planning and Development and Foreshore (Amendment) Act 2022, LiDAR survey activities are taking place outside the Maritime Area. These activities have been included in documentation as they form part of the overall study monitoring campaign, however Uisce Éireann is not seeking consent for these LiDAR activities from MARA.

Uisce Éireann consider LiDAR and GPS rover surveys to be passive and observational in nature in line with MARA Circular MP01/2025.

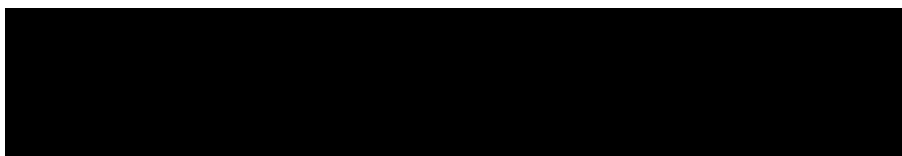
7. LiDAR and GPS Survey Impacts

Refer to Item 6 response.

8. Annex IV Exemption

Uisce Éireann can confirm that an application for a derogation under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended is not required given that Annex IV populations will not suffer loss and that there will be no deterioration to their breeding or resting places, and as such these works are compliant with Regulation 51 and 52 (see findings set out in the submitted Annex IV Species Risk Assessment and Natura Impact Statement).

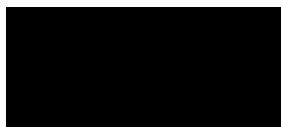
This approach aligns with the four-stage process set out in the National Parks & Wildlife Service Guidance on the Strict Protection of Certain Animal and Plant Species under the Habitats Directive in Ireland (2021), namely Stage 3 - Examination of Impacts and Satisfactory Alternatives, which states: If a suitable alternative is found which ensures that the local population does not suffer loss and that there is no deterioration to the breeding or resting places, then the works are compliant with Regulation 51 and 52. The inclusion of NPWS (2014) mitigation guidelines in the project design, which primarily involves the employment of an MMO, are to ensure no harbour porpoise or dolphins occur within an





agreed mitigation zone during the start of multibeam and single beam surveys. This will result in no significant impacts on cetaceans and marine turtles.

Yours faithfully,



for NICHOLAS O'DWYER LTD.
on behalf of Client (Uisce Éireann)

Nicholas O'Dwyer Ltd.
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