

<b>1. Maritime Usage Licence – “Minded To” Determination Case Worker Report</b>	
To	Dr. Karen Creed, Director of Maritime Authorisations
From	Joanne Staunton, Licensing Caseworker
Reviewed by	Jacinta Ponzi, Head of MUL Unit
Date	30/09/2025
<b>Maritime Usage Licence Application:</b>	
Applicant Name	Iarnród Éireann
Applicant Address	Engineering & New Works Building, Inchicore, Dublin 8
Application Received	15/07/2024
MUL Reference Number	MUL240023
Decision sought	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:  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.
Description of works	To conduct geotechnical, geophysical, ecological and marine archaeological site investigations to inform design options for the proposed East Coast Railway Infrastructure Protection Projects (ECRIPP) required to defend long sections of the Dublin to Rosslare coastal rail line from coastal erosion and flooding.
Term of Licence	6 Years from the MUL Commencement Date
Schedule 7 activity	7(3) 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 & GIS Shape files <input checked="" type="checkbox"/> Other Maps & Drawings <input checked="" type="checkbox"/> Appropriate Assessment Screening Report <input checked="" type="checkbox"/> Supporting Information for Screening for Appropriate Assessment (SISAA) Report <input checked="" type="checkbox"/> Risk Assessment for Annex IV Species Report <input type="checkbox"/> Compliance with Objectives of National Marine Planning Framework (NMPF) <input type="checkbox"/> Compliance with Objectives of Water Framework Directive (WFD) <input type="checkbox"/> Compliance with Objectives of Marine Strategy Framework Directive (MSFD) <input checked="" type="checkbox"/> Natura Impact Statement (NIS) Report <input checked="" type="checkbox"/> Other: AIMU Report

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Section 117(3) notice issued: Request for Additional Information -RAI	<input type="checkbox"/> YES <input checked="" type="checkbox"/> Not required

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Assessment, Research & Data (ARD) Assessment:	
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: 23/01/2025 Signed by: Ciar O'Toole
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: 05/02/2025 Signed by: Ciar O'Toole & John Evans
<b>If SCREENED IN:</b> Was NIS/updated NIS requested in accordance with Section 117(6)(a)?	<input type="checkbox"/> YES: <b>New</b> NIS requested <input checked="" type="checkbox"/> YES: <b>Updated</b> NIS requested Date Requested: 06/02/2025 Date Received: 21/03/2025  <input type="checkbox"/> NO: Not Required
AA Screening Report and Determination published on MARA website:	Date: 06/02/2025
Public Consultation – relevant where SCREENED IN	
Date of public consultation: Section 117(6)(b)	Date starts: 10/07/2025 Date ends: 15/08/2025
Local Newspaper Name	Dublin Gazette
Local Newspaper Publication Date	10/07/2025
Local Newspaper Name	Wicklow People
Local Newspaper Publication Date	16/07/2025
National Newspaper Name	Evening Herald
National Newspaper Publication Date	10/07/2025
Date public consultation published on MARA website	10/07/2025
Submissions from public received?	<input checked="" type="checkbox"/> YES: Number received 1 <input type="checkbox"/> NO

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 (Dun Laoghaire Rathdown Co Co, Fingal Co Co, Dublin City Co Co, South Dublin Co Co) <input checked="" type="checkbox"/> Relevant Harbour Authority (Dun Laoghaire Hbr – DLR Co Co, Wicklow Port, Dublin Port) <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 <u>7</u> <input type="checkbox"/> NO
Appropriate Assessment Determination (relevant where SCREENED IN)	
AA Report & Determination	Date of final report: 24/09/2025
Determination Approved by Director of ARD Unit	<input checked="" type="checkbox"/> Yes
ARD MUL Assessment Report:	
Final ARD MUL Assessment Report <i>includes environmental &amp; engineering reports</i>	Date of final report: 26/09/2025 Signed by: Ciar O’Toole
Public Submissions taken into account in Final ARD MUL Assessment Report:	<input checked="" type="checkbox"/> YES <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

<b>Upon completion of the Appropriate Assessment Determination the following specific conditions and reasons for conditions are DETERMINED by ARD: (mitigation measures)</b>
<p><b>Intertidal</b></p> <p>(i) The Holder shall ensure that an ecologist will be on site during all intertidal surveys carried out as part of this Permitted Maritime Usage in order to minimise disturbance and ensure site integrity is maintained.</p> <p>(ii) Access to the intertidal areas shall be exclusively through existing access routes.</p> <p>(iii) Disturbance of dune habitat and drift lines and vegetation shall be avoided by machinery and personnel.</p> <p>(iv) Any temporary access arrangements or structures that are put in place to allow machinery access to the shore area, shall be prepared or installed in consultation with the ecologist to ensure minimal disturbance and ensure site integrity. The site should be fully reinstated post works.</p>
<p><b>Marine Mammals</b></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 guidance. During the activity, the Holder shall comply with the directions of the marine mammal observer(s).</p> <p>(ii) The Holder shall implement risk control and mitigation measures for marine mammals in strict accordance with the most up to date national guidance.</p> <p>(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 <a href="mailto:offshore@npws.gov.ie">offshore@npws.gov.ie</a> and <a href="mailto:compliance@mara.gov.ie">compliance@mara.gov.ie</a></p> <p>(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.</p>
<p><b>Birds</b></p> <p>The Holder shall not undertake the Permitted Maritime Usage as follows:</p> <p>(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.</p> <p>(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</p>
<p><b>Invasive species</b></p> <p>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 in the Permitted Maritime Usage are free of invasive marine species.</p>
<p><b>In-combination effects</b></p> <p>(i) Prior to the commencement of the Permitted Maritime Usage, the Holder shall coordinate with other authorisation holders carrying out geophysical, and geotechnical activities within a 10 km radius of the Licensed Area.</p> <p>(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.</p>

<p>(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.</p> <p>(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.</p>
<p><b>Upon completion of the <i>ARD MUL Assessment Report</i> the following conditions and reasons for conditions are RECOMMENDED by ARD:</b></p>
<p>1. Recommended Term of licence to be 6 years from date of commencement.</p> <p>Reason: To ensure the orderly administration of licensed maritime usages in the maritime area.</p>
<p>17. The Permitted Maritime Usage shall be carried out in accordance with the plans and particulars submitted in support of the application for this Licence.</p> <p>Reason: To clarify the scope of this licence and ensure protection of the marine environment.</p>
<p>18. Prior to the commencement of the Permitted Maritime Usage the Holder shall consult with the Underwater Archaeology Unit of the Department of Housing Local Government and Heritage, National Monuments Service, located at G37, Custom House, Custom House Quay, Dublin 1, D01 W6X0, and comply with all applicable requirements set forth by the Unit.</p> <p>Reason: To ensure protection of maritime heritage.</p>
<p>19. 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.</p>
<p>20. The Holder shall not damage or interfere with any third party’s property while carrying out the Permitted Maritime Usage.</p> <p>Reason: To minimise impact on other users of the marine environment.</p>
<p>21. At least two weeks 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>22. During the course of the intertidal operations the Holder shall ensure that existing public access arrangements are maintained, where possible, and all necessary precautions are put in place to protect the public. The Holder shall retain photographic evidence of all such arrangements made and precautions taken during the course of the works.</p> <p>Reason: To minimise impact on other users of the intertidal area and ensure the orderly undertaking of the proposed maritime usage.</p>
<p>23. 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 protection of the marine environment.</p>
<p>24. 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</p>

<p>their ballast water and that all vehicles and equipment used in the Permitted Maritime Usage are free of invasive marine species.</p> <p>Reason: To ensure protection of the marine environment.</p>
<p>25. 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 guidance. During the activity the Holder shall comply with the directions of the marine mammal observer(s).</p> <p>(ii) The Holder shall implement risk control and mitigation measures for marine mammals in strict accordance with the most up to date national guidance.</p> <p>(iii) The Holder shall, within 30 days of the completion of the Permitted Maritime Usage, forward a report of the marine mammal observer(s) operations and mitigation undertaken, to <a href="mailto:offshore@npws.gov.ie">offshore@npws.gov.ie</a> and <a href="mailto:compliance@mara.gov.ie">compliance@mara.gov.ie</a></p> <p>(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.</p> <p>Reason: To ensure protection of the marine environment and protected species.</p>
<p>26. Birds</p> <p>The Holder shall not undertake the Permitted Maritime Usage as follows:</p> <p>(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.</p> <p>(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</p> <p>Reason: To ensure protection of the marine environment and protected species.</p>
<p>27. Intertidal</p> <p>(i) The Holder shall ensure that an ecologist will be on site during all intertidal surveys carried out as part of this Permitted Maritime Usage in order to minimise disturbance and ensure site integrity is maintained.</p> <p>(ii) Access to the intertidal areas shall be exclusively through existing access routes.</p> <p>(iii) Disturbance of dune habitat and drift lines and vegetation shall be avoided by machinery and personnel.</p> <p>(iv) Any temporary access arrangements or structures that are put in place to allow machinery access to the shore area, shall be prepared or installed in consultation with the ecologist to ensure minimal disturbance and ensure site integrity. The site should be fully reinstated post works.</p> <p>Reason: To ensure protection of the intertidal environment and protected species and habitats.</p>
<p>28. In-combination effects</p> <p>(i) Prior to the commencement of the Permitted Maritime Usage, the Holder shall coordinate with other authorisation holders carrying out geophysical, and geotechnical activities within a 10 km radius of the Licensed Area.</p> <p>(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</p>

<p>evidence that there is a vessel-to-vessel distance of greater than 10 km, no temporal co-ordination of activities is required.</p> <p>(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.</p> <p>(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.</p> <p>Reason: To ensure protection of the marine environment and protected species and habitats.</p>
<p>29. On completion of the activity, the Holder shall provide the United Kingdom Hydrographic Office (UKHO) at <a href="https://ukhodataupload.admiralty.co.uk/">https://ukhodataupload.admiralty.co.uk/</a> or <a href="mailto:sdr@UKHO.gov.uk">sdr@UKHO.gov.uk</a> and the INFOMAR program at <a href="mailto:support@geodata.gov.ie">support@geodata.gov.ie</a> with the final bathymetric data from this Permitted Maritime Usage so that the appropriate charts can be updated.</p> <p>Reason: To ensure the safety of navigation at sea and the protection of the marine environment through availability of monitoring data.</p>
<p>30. The Holder shall, as soon as practicable and no later than three months upon completion of the borehole survey works, submit all borehole survey data undertaken in accordance with this Permitted Maritime Usage to the Geological Survey of Ireland (GSI) of the Department of Climate, Energy and the Environment at <a href="mailto:GeologicalMappingInfo@gsi.ie">GeologicalMappingInfo@gsi.ie</a> and in the format requested by the GSI.</p> <p>Reason: To ensure protection of the marine environment through availability of monitoring data.</p>
<p>31. The Holder, upon completion of the Permitted Maritime Usage, shall submit details of all acoustic surveys undertaken in accordance with this licence to Marine Environment, Department of Housing, Local Government and Heritage at <a href="mailto:marine.env@housing.gov.ie">marine.env@housing.gov.ie</a>. This data shall be provided in the reporting format of the OSPAR Impulsive Noise registry.</p> <p>Reason: To ensure protection of the marine environment through availability of monitoring data.</p>
<p>32. Accidental events The Holder shall ensure that there is an oil pollution emergency plan on-board any survey vessels. This plan should specify:</p> <p>(i) Information on the location and detail of spill response resources on-board;</p> <p>(ii) Information on crew training in relation to oil pollution response;</p> <p>(iii) How crew will interface with other site investigation operators, where applicable.</p> <p>Reason: To provide appropriate controls on the Permitted Maritime Usage to ensure protection of the marine environment.</p>
<p>33. Fisheries Liaison Officer At least two weeks prior to 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.</p> <p>Reason: To minimise impact on other users of the marine environment.</p>
<p>34. While conducting the Permitted Maritime Usage the Holder shall not interfere with any fishing gear or obstruct any fishers or fishing vessels engaged in fishing.</p>

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Reason: To minimise impact on other users of the marine environment.
35. The Holder shall consider any publicly available survey data, and usage of same where appropriate and feasible to do so, in order to avoid duplication of survey activity in the Licensed Area.
Reason: To ensure the protection of the marine environment

<b>Minded to Determination of Licence Application:</b>	
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)**                      **Joanne Staunton**

**Date**    **30/09/2025**

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