Assessment, Research and Data Unit

Appropriate Assessment Report and Determination for a Maritime Usage Licence

To:	John Evans, Director of ARD Unit	**From:**	Suzanne Wylde Senior Marine Advisor
Date	27th January 2026	**Maritime Usage Licence Application No:**	LIC230025
Applicant:		Port of Waterford Company, 3rd Floor Marine Point, Belview Port, Slieverue, Waterford	
Type of maritime usage in accordance with Schedule 7 of the Maritime Area Planning Act, 2021:		*1. Dredging (including dredging involving the use of a device to remove any material, whether or not suspended in water, from one part of the seabed to another part of the seabed) other than—* *(a) dredging carried out to create a new harbour, berth or waterway, or to deepen existing facilities in order to allow access for larger ships, or* *(b) dredging ancillary to development authorised under the Act of 2000, whether or not it involves the removal of any material from the sea or seabed.*	
		3. Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000.	
		6. The deposit of any substance or object, either in the sea or on or under the seabed, from – *(a) a vehicle, vessel (including a craft capable of travelling on, in or under water, whether or not self-propelled), boat, aircraft or marine structure (other than a pipeline),* *(b) a container floating in the sea, or* *(c) a structure on land constructed or adapted wholly or mainly for the purpose of depositing solids in the sea.*	
Location of proposed maritime usage:		Dredging in the Middle Suir Estuary, Lower Suir Estuary, Barrow-Suir-Nore Estuary and Waterford Harbour for deposit at a designated dumpsite off Hook Head.	
Licence application received:		14th March 2024	
Section 117(3) request for additional information issued:		11th February 2025, 28th February 2025; 19th September 2025; 28th November 2025	
Response to request for additional information received:		11th February 2025; 3rd March 2025; 1st October 2025; 2nd December 2025	
Natura Impact Statement:		14th March 2024	
Public consultation:		16th December 2025 – 24th January 2026 (4 submissions received)	
Public Body consultation:		18th September 2025 – 16th October 2025 (6 submissions received)	

Statement of Authority

This Appropriate Assessment Report has been undertaken by the Assessment, Research and Data Unit within MARA, a specialist unit with appropriate expertise in environmental assessment.

1 Introduction

1.1 Background

The Port of Waterford Company (the applicant) has applied to the Maritime Area Regulatory Authority (MARA) for a Maritime Usage Licence (MUL) to undertake maintenance dredging at Waterford port, and deposit of dredged material at a designated dumpsite off Hook Head falling under Schedule 7(1) & (6) of the Maritime Area Planning Act 2021 (the MAP Act). The activities are required to maintain the navigation channel. The applicant has proposed pre- and post-dredging bathymetric surveys, which is a maritime usage in accordance with Schedule 7(3) of the MAP Act.

The applicant holds an existing foreshore licence (FS006684) to undertake maintenance dredging, as well as a dumping at sea permit (S0012-03) from the Environmental Protection Agency (EPA). Both of these authorisations expired on 31st December 2025. The applicant submitted a Natura Impact Statement with their licence application in support of this appropriate assessment.

1.2 Legislative Context

This appropriate assessment report relates to a licence application for usages in the maritime area in accordance with Part 5 of the MAP Act. Section 117 of the MAP Act sets out the requirements for MARA to undertake appropriate assessment in respect of a proposed maritime usage. The EU Habitats Directive (Council Directive 92/43/EC) and Birds Directive (2009/147/EC0 are transposed into Irish law by the European Communities (Birds and Natural Habitats) Regulations, 2011 and by Part XAB of the Planning and Development Act, 2000. Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations, 2011 outlines requirements for screening for appropriate assessment and for undertaking appropriate assessment. In addition, a 30-day public consultation is required on the Natura Impact Statement under Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations, 2011 and Section 117 of the MAP Act.

1.3 Screening for Appropriate Assessment

MARA completed a screening for appropriate assessment and made an appropriate assessment screening determination on 19th November 2025. The determination stated that the proposal by Port of Waterford to carry out maintenance dredging and deposit in accordance with Schedule 7(1) & (6) of the MAP Act at locations in the Middle Suir Estuary, Lower Suir Estuary, Barrow-Suir-Nore Estuary and Waterford Harbour (LIC230025), requires an appropriate assessment, as it cannot be excluded, on the basis of objective scientific information, following screening that the proposed activities, individually or in combination with other plans or projects, will have a significant effect on a European Site.

No No

Yes Yes – possible visual and above water noise disturb

2 Description of proposed works

2.1 Description of the Proposed Maritime Usage Activity

The applicant has applied for dredging to be undertaken in 16 areas within the Middle Suir Estuary, Lower Suir Estuary, Barrow-Suir-Nore Estuary and Waterford Harbour. These areas range from the upper end of the harbour in Waterford City right out to the seaward end of the harbour off Duncannon, Co. Wexford.

The areas proposed to be dredged include three primary dredge areas that experience a high degree of sedimentation and require bi-annual maintenance dredging using a trailing suction hopper dredger. These areas are Belview Berths, Cheekpoint Lower and Duncannon Channel. Each campaign lasts approximately 12 days.

Additionally, the applicant has been undertaking plough dredging during every spring tide period at Cheekpoint. These plough dredging campaigns are undertaken for approximately 5 days. Dredging does not generally take place in any of the other proposed maritime usage areas. These are included by the Port of Waterford on the basis of the importance of those areas to minor businesses and the general public.

The proposed maintenance dredging in the navigation channel will primarily be undertaken using Trailer Suction Hopper Dredging (TSHD). Plough dredging is also proposed and is routinely used to maintain the navigation depths at Cheekpoint which is susceptible to sedimentation due to the nature of the currents in this area. The applicant also proposes to use mechanical dredging[1] to access areas such as quay walls and berths where material has been compressed and has consolidated making it difficult to remove using the other dredging methods proposed.

The applicant has requested a licence for 8 years, to run from 1st January 2026 to 31st December 2033. The applicant has applied to deposit a maximum of 1,098,976 wet tonnes at the offshore dump site per annum and a maximum of 159,165 wet tonnes via plough dredger per annum.

3 European Sites and Qualifying Interests

3.1 Identification of European sites likely to be affected

The Screening for Appropriate Assessment Report and Determination identified European sites which were considered to be within the Zone of Influence of the proposed maritime usage activity. These European sites, their Qualifying Interests and Special Conservation Interests that were screened in, and possible impact as a result of the proposed project, are given in Table 1 below.

[1] The method of mechanical dredging proposed in this instance involves a bucket being lowered to the seabed from one vessel and the material being dropped into a hopper on another vessel.

Table 1: Special Areas of Conservation, Special Protected Areas, qualifying interests and conservation objectives identified as requiring further assessment.

European site & site code	**Distance from proposed MUL area (km)**	**List of Qualifying Interests[2]**	**Connections (Source-pathway-receptor)**	**Site-specific conservation objectives**
River Barrow and River Nore SAC [002162]	Within MUL area	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Reefs [1170] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330] Mediterranean salt meadows (*Juncetalia maritimi*) [1410] *Margaritifera margaritifera* (Freshwater Pearl Mussel) [1029] *Petromyzon marinus* (Sea Lamprey) [1095] *Lampetra fluviatilis* (River Lamprey) [1099] *Alosa fallax fallax* (Twaite Shad) [1103] *Salmo salar* (Salmon) [1106] *Lutra lutra* (Otter) [1355]	Possible habitat loss/degradation; possible disturbance from water quality impairment; possible disturbance from underwater noise	NPWS (2025) Conservation Objectives: River Barrow and River Nore SAC 002162. Version 2. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Lower River Suir SAC [002137]	Within MUL area	*Margaritifera margaritifera* (Freshwater Pearl Mussel) [1029] *Petromyzon marinus* (Sea Lamprey) [1095] *Lampetra fluviatilis* (River Lamprey) [1099] *Alosa fallax fallax* (Twaite Shad) [1103] *Salmo salar* (Salmon) [1106] *Lutra lutra* (Otter) [1355]	Possible underwater noise disturbance and disturbance from water quality impairment (suspended solids).	NPWS (2017) Conservation Objectives: Lower River Suir SAC 002137. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

[2] Those Qualifying Interests marked in bold have been screened in for Stage 2 appropriate assessment.

Hook Head SAC [000764]	<5km	Large shallow inlets and bays [1160] Reefs [1170] *Tursiops truncatus* (Common Bottlenose Dolphin) [1349] *Phocoena phocoena* (Harbour Porpoise) [1351]	Possible underwater noise disturbance and possible physical habitat disturbance/degradation	NPWS (2025) Conservation Objectives: Hook Head SAC 000764. Version 2. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage
Saltee Islands SAC [000707]	20km	*Halichoerus grypus* (Grey Seal) [1364]	Possible underwater noise disturbance.	NPWS (2011) Conservation Objectives: Saltee Islands SAC 000707 and Saltee Islands SPA 004002. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Seas off Wexford SPA [004237]	Within MUL Area	Red-throated Diver (*Gavia stellata*) [A001] Fulmar (*Fulmarus glacialis*) [A009] Manx Shearwater (*Puffinus puffinus*) [A013] Gannet (*Morus bassanus*) [A016] Cormorant (*Phalacrocorax carbo*) [A017] Shag (*Phalacrocorax aristotelis*) [A018] Common Scoter (*Melanitta nigra*) [A065] Mediterranean Gull (*Larus melanocephalus*) [A176] Black-headed Gull (*Chroicocephalus ridibundus*) [A179] Lesser Black-backed Gull (*Larus fuscus*) [A183] Herring Gull (*Larus argentatus*) [A184] Kittiwake (*Rissa tridactyla*) [A188] Roseate Tern (*Sterna dougallii*) [A192] Common Tern *(Sterna hirundo*) [A193] Arctic Tern (*Sterna paradisaea*) [A194] Guillemot (*Uria aalge*) [A199] Razorbill (*Alca torda*) [A200] Puffin (*Fratercula arctica*) [A204] Sandwich Tern (*Thalasseus sandvicensis*) [A863] Little Tern (*Sternula albifrons*) [A885]	Possible above and underwater noise disturbance.	NPWS (2024) Conservation Objectives: Seas off Wexford SPA 004237. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

4 Assessment and Mitigation

4.1 Assessment of Likely/Possible Significant Impacts on European Sites and their conservation interests

The impacts that have been identified that have the potential to cause significant impacts on European sites and their designated species are physical habitat disturbance/degradation, disturbance from water quality impairment and disturbance from above water and underwater noise. Any mitigation measures recommended on foot of the assessment in this section are included in Section *4.5 Mitigation Measures*.

4.1.1 Physical habitat disturbance/degradation

There is potential for the proposed dredging and deposit activities to cause physical disturbance/degradation to habitats. Any such impacts would be in respect of the Lower River Suir SAC or the River Barrow and River Nore SAC.

The applicant submitted a Benthic Ecology Survey in support of their licence application. The survey included sampling from 27 stations at Port of Waterford, Little Island, Cheekpoint, Passage East and Dollar Bay, Duncannon. The survey concluded that the estuarine communities sampled are generally characterised by low numbers of species and individuals.

The benthic communities sampled were muddy estuarine community complex and fine sand, both of which are contained within the two SACs referred to above. These community types tend to be highly resilient and not sensitive to seabed disturbance or siltation. The Benthic Ecology Survey notes that the benthic community types recorded in the survey are well established. The survey also concluded that the communities have remained stable despite bi-annual dredging campaigns by Port of Waterford. It is not expected that the proposed maritime usage will negatively impact on these benthic community types within the proposed maritime usage area.

The nature and frequency of the proposed dredging activity is temporary and intermittent, therefore any potential disturbance is expected to be short term and not significant. No further mitigation is required.

4.1.2 Disturbance from water quality impairment

Atlantic salmon, twaite shad and species of lamprey are protected within the River Barrow and River Nore SAC and the Lower River Suir SAC. These fish all have the potential to migrate through the proposed maritime usage area during the migratory phases of their life cycle. Dredging, in particular plough dredging, has the potential to generate increased suspended solids in the water column. This can impact fish respiration, result in fines onto spawning areas, impede swimming and obstruct fish passage.

Migratory fish generally migrate to sea at night, often using the ebbing tide to assist seaward migration. Movement is therefore rapid and, under the cover of darkness, the fish are less visible to predators.

The nature of the activity involves movement of sediments. Plough dredging will push any localised accumulations of sediment from one part of the seabed to another adjacent part of

the seabed. The transitional waters of the Barrow, Nore and Suir and Waterford Harbour are designated for the protection of several species of migratory fish including Atlantic Salmon, Sea Lamprey, and twaite shad. The proposed dredging has the potential to impact fish passage through these waters into the Nore, Barrow and Suir rivers. Plough dredging in particular generates elevated suspended solids concentrations in the water column. This can reduce oxygen levels in the water and impact fish respiratory function.

The applicant submitted two dispersion models in support of licence application. The first looked at the dispersion of sediments from plough dredging at Cheekpoint. This model shows that the dispersed sediment would move throughout the estuary, with the vast majority moving up-estuary. The model showed the sediment would generally be confined to the area between Buttermilk Point (approximately 1.5km south of Cheekpoint) and Little Island (approximately 4km upstream of Cheekpoint). The model predicted that most material would be moved on the flood tide and during spring tides whereas neap tides would tend to be primarily accretional. The model also showed maximum concentrations (above background) of disturbance were around 2,500mg/l at the point of disturbance at peak flows and around 1,500mg/l at slack flows. These concentrations reduced by an order of magnitude after one day. The model concluded that elevated suspended solids concentrations that last for several hours are generally in the range of 150-250mg/l on spring flood tides and lower on ebb tides. Average elevated concentrations were predicted to rarely exceed 50mg/l by the model.

The second dispersion model focussed on the characterisation of the dispersion of deposited dredged sediment at the offshore deposit site. The model focussed on dredge sediments sourced from three locations within the proposed maritime usage area (Belview Quay, Cheekpoint Lower Bar and Duncannon Bar). Model scenarios were undertaken with deposits across the range of both spring and neap tides.

The model was based on a maximum daily deposit rate of 68,791 wet tonnes/day. The model showed that the disposal of dredge material from the Duncannon Bar gives the greatest predicted impact on suspended solids concentration and accretion. Peak increases in suspended solids concentration are predicted to extend around 10km west and around 3km southeast of the deposit site.

The model showed that, in a worst-case scenario, there was some settling of material to the bed at the deposit site. The model showed accretion of up to 1cm to the southwest of the deposit site and of around 0.7cm further west toward Brazen Head (just east of Brownstown Head). This accretion was seen to be remobilised during spring tide events and therefore, considered to be temporary in nature. The model predicted that once the deposits cease, the material in suspension continues to be dispersed and suspended solids concentrations return to baseline levels.

Therefore, it can be concluded from both models that any increases in suspended solids associated with the dredging and deposit activities would be local to either the dredge sites or the deposit site, and temporary in nature.

It is recommended that suitable mitigation measures be included in the licence for the Permitted Maritime Usages, if granted. The purpose of the mitigation would be to validate

the conditions modelled during the actual proposed maritime usage and also to minimise any obstructions to fish migration.

4.1.3 Disturbance from underwater noise

Marine mammals depend on sound for a wide range functions including navigation, perception of their environment, communication, prey identification and capture, and the detection of predators. The response of marine mammals to dredging is dependent on the type of dredger used, but it is accepted that noise from dredging is generally well below suspected injury thresholds or permanent threshold shift. The dredge operations emit continuous low frequency sound into the marine environment. The increase in noise will be greatest within the immediate vicinity of the dredgers, but intensity decreases with distance. In addition, while the presence of an operational dredger within the Waterford Estuary will lead to small local increase in noise, the disturbance is likely to be minimal given the marine traffic already present in the estuary.

The applicant submitted an Annex IV Species Risk Assessment in support of the application and in line with national guidance on underwater noise[3]. The risk assessment considered the potential impacts (noise impacts, increased levels of turbidity and ship strikes) on Annex IV species as a result of the proposed maritime usage. The risk assessment concluded that the proposed maritime usage will not have a long-term effect on any Annex IV species based on the implementation of suitable mitigation measures including 'soft starts' and 'ramp up' procedures. Furthermore, marine mammals in the vicinity of the proposed maritime usage are highly mobile, likely to leave the vicinity of the dredging and within an existing area of high marine traffic.

The applicant submitted unsolicited supplementary material on 9th January 2026, concerning marine mammals, including a letter of support from a local angling company and a marine mammal observer report for maintenance dredging in Waterford Port (March 2025). Both documents concluded that no adverse effects on marine mammals were noted as a result of the maintenance dredging.

In addition, to the dredging and deposit, the applicant has stated that pre and post dredging bathymetric surveys will be undertaken to determine the available water depths. These surveys will take the form of high resolution multibeam surveys. The applicant has not stated the noise frequency at which the surveys will operate. The recommended effective deterrence range for harbour porpoises for multibeam surveys operating in <200m water with a frequency of $\leq$12 kHz is 3km. The possibility of impact on marine mammals as a consequence of the underwater acoustics from the bathymetric surveys cannot be excluded.

The closest SAC for grey seals is the Saltee Islands SAC, approximately 20km at its closest point from the proposed maritime usage area. There are no known haul-out or breeding sites within the Waterford Estuary for grey seals, therefore any effects from dredging are limited to likely affect a small number of individuals.

[3] Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters. Department of Housing, Local Government and Heritage, 2014.

In addition to marine mammals, otters are also protected in the River Barrow and River Nore SAC and Lower River Suir SAC. No otter holts have been identified within the proposed maritime usage area. Otters tend to forage within 80m of the shoreline, a number of the proposed maritime usage areas are considered suitable for foraging and commuting otters. Otters within the Waterford estuary are subject to anthropogenic noise sources form port related activities and marine traffic, therefore it can be concluded that otters in this area are habituated to such anthropogenic noise. Furthermore, the impacts of the proposed dredging would be negligible on otters given the short-term nature of the activity and the expected sound levels to be below both the permanent and temporary thresholds.

However, the possibility of impact on the species discussed above as a result of the proposed maritime usage activity, cannot be entirely excluded. Therefore, it is recommended that suitable mitigation measures be included in the Maritime Usage Licence, if granted.

The Seas Off Wexford SPA is designated for the protection of several diving birds such as fulmar, manx shearwater and cormorants. These diving birds can be sensitive to disturbance from underwater noise. However, given the level of activity which normally takes place within the vicinity of proposed maritime usage area, it is likely that any affected bird species present will be accustomed to a relatively high level of noise associated with vessel movements. Therefore, it can be concluded that underwater noise would be very unlikely to have a significant effect on diving birds in the vicinity of the dredging activity. No further mitigation is recommended for birds.

4.1.4 Disturbance from above water noise

There is potential for disturbance to birds from above water noise, however, this is likely to be temporary and intermittent given the nature, duration and frequency of dredging operations. Similarly to disturbance due to underwater noise, the bird species present in the area are likely to be accustomed to the level of vessel activity in the vicinity proposed maritime usage area. Any noise disturbance from the dredging operations is not expected to exceed that which would normally occur in the area. No further mitigation is recommended.

4.2 Assessment of In-combination effects

Article 6(3) of the Habitats Directive requires that an Appropriate Assessment be carried out in respect of any plan or project which is likely to have a significant effect on one or more European sites, either individually or in combination with other plans or projects. Therefore, regardless of whether or not the likely or possible effects of a plan or project are significant when considered in isolation, the potential for the plan or project to significantly affect European sites in combination with other past, present or foreseeable future plans or projects must also be assessed. All types of plans or projects that could, in-combination with the project under consideration, have a significant effect, should be taken into account. This in-combination assessment has been undertaken using professional and scientific judgement.

1. Defining the Cumulative Effects Spatial Scope (CESS)

The definition of the CESS is based on the maximum extent of the sediment plume predicted to be generated as a result of the activities, in accordance with the *Port of Waterford: Dredge*

disposal, Numerical modelling of disposal plumes (November 2023) as submitted with the licence application. Based on this model the CESS is defined 10km.

2. Defining the Cumulative Effects Temporal Scope (CETS)

The temporal scope for examination of cumulative effects has been defined considering the period over which the proposed maritime usage would take place. Therefore, the CETS is 8 years.

3. Impact identification

The impacts identified are:

- Physical habitat disturbance/degradation;
- Disturbance from water quality impairment;
- Disturbance from above water noise;
- Disturbance from underwater noise.

4. Pathway Identification

Impact	Potential Cumulative Pathway
Physical disturbance/habitat degradation	Pathway requires direct spatial overlap. Potential pathway for physical disturbance/degradation where there is spatial and temporal overlap.
Disturbance from water quality impairment	Pathway possible via increased sediments in the water column with impacts possible within the CESS where there is temporal and spatial overlap with other relevant projects.
Disturbance from above water noise	Pathway possible via sound travelling above water with potential impacts within the CESS where there is temporal overlap with other relevant projects.
Disturbance from underwater noise	Pathway possible via sound travelling through water with impacts possible within CESS where there is temporal overlap with other underwater noise producing projects.

5. Prediction:

The magnitude and extent of identified likely cumulative effects have been predicted below.

Physical disturbance/habitat degradation

There is the potential for increased physical disturbance and habitat loss if other relevant projects were to take place at the same time.

Disturbance from water quality impairment

There is potential for increased suspended sediment concentrations in the water column where there is temporal or spatial overlap with other relevant projects.

Disturbance from above water noise

There is the potential for increased visual and above water noise disturbance if other relevant projects were to take place at the same time.

Disturbance from underwater noise

There is the potential for increased underwater noise disturbance effects if other projects, capable of producing underwater noise, were to take place at the same time.

6. Identification of Plans or Projects that could act in combination:

A search was carried out of relevant databases (e.g. EPA, Foreshore, MARA, planning authorities, aquaculture, *etc*) for other plans/projects with characteristics that may cause in-combination or cumulative effects with the project being assessed, on Natura 2000 sites (4th November and 9th December 2025) (Table 2). All relevant plans and projects within the CESS and CETS have been considered. The projects within the CESS and CETS have been considered for their potential to cause cumulative effects, in combination with the proposed marine usage activity being considered in this licence application, on the qualifying interests of Special Areas of Conservation and Special Protection Areas.

Table 2: List of projects which, in particular, were considered to have potential in-combination impacts on European sites insert names of projects that may be of particular relevance.

Application Ref.	**Project description**	**Distance from proposed MUL area (km)**	**Project Status**
S0012-05	EPA Dumping at Sea permit – Port of Waterford maintenance dredging.	Within the MUL area	Applied
HA93.303274	An Coimisiún Pleanála - Planning permission for River Suir Sustainable Transport Bridge.	Within the MUL area	Granted
OA10.323575	An Coimisiún Pleanála - Proposed extension to port facilities	Within the MUL area	Applied
FS006982	Foreshore licence. Energia Renewables ROI Ltd – site investigations.	<5km	Granted
LIC230013	Maritime Usage Licence Application. Port of Waterford – site investigations.	Within MUL area	Applied

The following plans, related to the development of the maritime environment were also identified:

- Climate Action Plan 2025,
- Water Action Plan 2024,
- Port of Waterford Masterplan 2020-2044,
- Waterford City and County Development Plan 2022-2028.

These plans promote sustainable development and integrated management planning in the maritime environment. It is unlikely that any of these plans will result in a negative in-combination effect on the conservation objectives of the Natura 2000 sites.

7. Cumulative Effects Assessment conclusion

There is potential for likely significant in-combination effects on the conservation objectives of the Natura 2000 sites addressed in this appropriate assessment, where impacts from the proposed maritime usage could interact synergistically with other plans and projects, to create adverse effects on the integrity of the Natura 2000 sites. In order for synergistic

interactions to occur both sources of impacts must reach a threshold of interactive potential that is of sufficient character, magnitude, duration or intensity. The assessment in Section 4.1 of this report above, has already assessed the potential for significant effects of the proposed maritime usage on Natura 2000 sites.

While agriculture and wastewater discharges are known to be amongst the biggest pressures on water bodies in Ireland, their impacts are primarily on physico-chemical parameters such as the levels of dissolved nutrients and suspended solids. The pressures resulting from dredging are primarily associated with increased levels of suspended sediments, hydro-morphology and some, albeit limited, risk of fuel or oil spills. Therefore, any diffuse pollution from agriculture and wastewater in the vicinity of the proposed maritime usage combined with the pressures from the proposed dredging are unlikely to be of sufficient character magnitude, duration, or intensity to reach a threshold sufficient to initiate synergistic interaction particularly because the sediments are not likely to impact on physico-chemical parameters in the water column.

Based on insufficient clarity on when some of the projects highlighted above will be carried out, and using the precautionary principle, there is potential for these projects to have potential in-combination effects should there be temporal overlap with the proposed maritime usage activity.

It is not possible to exclude the possibility of likely significant in-combination effects on the conservation objectives of the Natura 2000 sites considered in this assessment as a result of this proposed maritime usage, the projects identified and the relevant plans. Therefore, it is recommended that suitable mitigation for the possibility of likely significant in-combination effects be included in the Maritime Usage Licence, if granted.

4.3 Assessment of Transboundary effects

The mitigation measures proposed as part of this appropriate assessment will mitigate against any transboundary effects on other European sites.

4.4 Public consultation

A public consultation was undertaken from 16th December 2025 – 24th January 2026 with the public invited to make submissions. In addition to the public consultation, observations were invited from relevant public bodies. Four (4 No.) submissions were received on foot of the public consultation, while six submissions were received from relevant public bodies. These submissions have been considered as part of the appropriate assessment and are summarised in Section 6 of the associated Maritime Usage Licence Assessment Report undertaken as part of the MUL application assessment.

4.5 Mitigation Measures

Mitigation measures for those impacts identified in Section 4.1 *Assessment of Likely/Possible Significant Impacts on European Sites and their conservation interests* are detailed below.

4.5.1 Physical habitat disturbance/degradation

No further mitigation is required in relation to this.

4.5.2 Disturbance from water quality impairment

It is recommended that suitable mitigation in the form of limiting the tonnages related to the proposed maritime usage and restricting dredging to be undertaken concurrently with other dredging or deposit operations within the proposed maritime usage area, be included in the licence for the Permitted Maritime Usage, if granted. This will ensure that there will be no change to the modelled rate of suspended solids. The mitigation should be as follows:

- *Quantities of dredge spoil associated with the Permitted Maritime Usage*

  (i) The quantities associated with the Permitted Maritime Usage shall not exceed the following:

Associated Activity	Maximum Annual Quantity (Wet Tonnes)
Plough dredging	159,165
Deposit at Offshore Deposit Site	823,513

  (ii) The rate of deposit associated with the Permitted Maritime Usage shall be as follows:

Location	Maximum daily rate of deposit (Wet tonnes)
Offshore deposit site	69,079
Plough dredging sites	3,356

- *The Holder shall document and implement all reasonable efforts to limit the release of suspended solids into the water column during dredging and on voyages to and from the offshore deposit site.*

- *Overflow of material from dredging vessels shall not be permitted at any time.*

- *Sediment material categorised as not suitable for disposal at sea shall not be deposited in the Licensed Area or in any other part of the maritime area.*

- *Turbidity and Suspended Solids Monitoring*

  (i) The Holder shall undertake monitoring of turbidity and suspended solids during the course of each dredging campaign, and for seven days before and after the dredging campaigns.

  (ii) The Holder shall undertake the monitoring of turbidity and suspended solids as follows:

Parameter	Analysis Method	Frequency
Turbidity	Alarmed turbidity sensor deployed on a moored buoy.	Continuous for the duration of each dredge campaign and at a minimum one week before and one week after the completion each dredge campaign.
Suspended Solids	Standard method*	A sufficient number of samples shall be taken during each campaign to establish the relationship between turbidity and suspended solids.

*A National, European or internationally recognised procedure e.g. I.S. EN, ISO, CEN, BS or equivalent.

(iii) The Holder shall undertake monitoring of turbidity and suspended solids at the following location:

Sample site	Longitude (W)*	Latitude (N)*
Cheekpoint Buoy	-6.979132	52.265662

*Coordinates in WGS84

(iv) *Where the suspended solids exceed the predicted values in the "Waterford Estuary: Plough Assessment (November 2017)", submitted with the licence application, the Holder shall put in place measures to avoid recurrence of the exceedance, where the exceedance is a consequence of the Permitted Maritime Usage.*

(v) The Holder shall retain a record of all data generated from the monitoring and have it available for inspection by the Grantor.

- *The parameters, analysis method or frequency of the monitoring, as set out in the "Turbidity and Suspended Solids Monitoring" condition may be amended with the agreement of the Grantor following evaluation of the monitoring results.*

- <u>Plough Dredging</u>
  - *(i) Plough dredging at Cheekpoint Lower shall be undertaken during spring tide periods only throughout the year.*
  - (ii) *Plough dredging, at all other locations within the Licensed Area shall be prohibited during 1st March and 30th June annually.*
  - (iii) *Plough dredging shall be undertaken during the daytime only.*

4.5.3 Disturbance due to underwater noise

Appropriate mitigation for the effects of underwater noise on marine mammals will be the implementation of the most up to date national guidance to manage the introduction of man-made sound sources into the marine environment. When carrying out dredging and bathymetric surveys particular attention should be paid to the sections of the guidance relating to dredging and geophysical acoustic surveys. It is recommended a condition be included in the licence, if granted, as follows:

- *Underwater Noise*

  (i) *The Holder shall appoint a marine mammal observer(s) for the purposes of overseeing the Permitted Maritime Usage with Trailing Suction Hopper Dredger and Mechanical Dredger. 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 the 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.*

4.5.3 Disturbance from above water noise;

No further mitigation is required in relation to this.

4.5.5 In-combination effects

To minimise any in-combination effects as a result of other projects or plans, it is recommended that conditions be included requiring the applicant to coordinate their proposed maritime usage with the local harbor authority and other relevant authorisation holders, as follows:

- *The Holder shall ensure that the Permitted Maritime Usage does not take place concurrently with other authorised dredging or deposit (or dumping) campaigns in the Middle Suir Estuary, Lower Suir Estuary, Barrow-Suir Nore Estuary and Waterford Harbour, unless otherwise agreed by the Grantor.*

- *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 6km radius of the Licensed Area.

(ii) Where a vessel to vessel distance of greater than 6km 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 6km, 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.

5 Appropriate Assessment Conclusion

The applicant provided a Natura Impact Statement which detailed the potential impact of the proposed project on relevant European sites and whether these impacts would adversely affect the integrity of the sites in light of their conservation objectives.

The Appropriate Assessment Screening process identified likely/possible significant impacts due to physical habitat disturbance/degradation, water quality impairment, disturbance from underwater and above water noise. These likely significant impacts could not be ruled out, beyond reasonable scientific doubt, without mitigation.

The potential direct and indirect effects as a result of underwater noise from the proposed maritime usage were identified as having the potential to cause in-combination impacts which could not be ruled out, beyond reasonable scientific doubt, without mitigation.

Mitigation measures were identified to ensure that impacts on European sites and their qualifying interests and special conservation interests do not occur. Therefore, with adherence to the mitigation measures specified in section *4.5 Mitigation Measures*, and in view of best scientific knowledge, and of the sites 'conservation objectives, the project, individually, or in-combination with other plans or projects, will not have adverse effects on European sites.

Signature and Date of Recommending Marine Advisor	 **Suzanne Wylde** Senior Marine Advisor Assessment, Research and Data 28th January 2026

6 Appropriate Assessment Determination

Having considered this report, the documents submitted by Port of Waterford Company, the observations received on foot of the public consultation on the application, along with my own assessment, it can be concluded, and I determine, for the purposes of Article 6(3) of the

Habitats Directive and Regulation 42(11) of the Birds and Natural Habitats Regulations, that the proposal by **Port of Waterford Company, 3rd Floor Marine Point, Belview Port, Slieverue, Waterford, X91 W0XW** to carry out **maintenance dredging and deposit in accordance with Schedule 7(1) & (6) of the Maritime Area Planning Act** 2021 at locations in the Middle Suir Estuary, Lower Suir Estuary, Barrow-Suir-Nore Estuary and Waterford Harbour (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 specified in section 4.5 Mitigation Measures adopted and outlined above, which must be included as conditions to any consent that may be granted in respect of the respective maritime usage licence application.

Signature and Date of Decision Maker	 _____ **John Evans** Director of Assessment, Research and Data 30th January 2026