

Assessment, Research and Data Unit			
Maritime Usage Licence Assessment Report			
To:	Maritime Authorisations Unit	From:	Suzanne Wylde Senior Marine Advisor
Date	27 th January 2026	Maritime Usage Licence Application No:	LIC230025
Approved for issue by:		John Evans, Director of ARD Unit	
Applicant:		Port of Waterford Company, 3 rd Floor Marine Point, Belview Port, Slieverue, Waterford	
Type(s) of maritime usage in accordance with Schedule 7 of the Maritime Area Planning Act, 2021, as amended:		<p>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 –</p> <p>(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</p> <p>(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.</p> <p>3. Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000.</p> <p>6. The deposit of any substance or object, either in the sea or on or under the seabed, from –</p> <p>(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),</p> <p>(b) a container floating in the sea, or</p> <p>(c) a structure on land constructed or adapted wholly or mainly for the purpose of depositing solids in the sea.</p>	
Location of proposed Maritime Usage:		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:		14 th March 2024	
Section 117(3) request for additional information (RAI) issued:		11 th February 2025, 28 th February 2025; 19 th September 2025; 28 th November 2025	
Response to RAI received:		11 th February 2025; 3 rd March 2025; 1 st October 2025; 2 nd December 2025	
Unsolicited supplementary information received:		9 th January 2026	
Screening for Environmental Impact Assessment (EIA):		EIA not required (EIA Screening conclusion 22 September 2025)	
Stage 2 Appropriate Assessment required:		Yes	Natura Impact Statement received: 14 th March 2024

Public Body Consultation:	18 th September 2025 – 16 th October 2025 (6 responses received)
Public Consultation:	16 th December 2025 – 24 th January 2026 (4 submissions received)

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 held a 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.

2. Description of Proposed Maritime Usage

The applicant has applied for dredging to be undertaken in 16 areas in total 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 dredging¹ 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

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.

the offshore dump site per annum and a maximum of 159,165 wet tonnes via plough dredger per annum.

3. National Policy and EU Directives

In assessing a MUL application, MARA must have regard to Section 6(8) of the Marine Planning Policy Statement (MPPS) and the legislation and policy set out in Section 121(2) of the MAP Act, as discussed in this section.

3.1 National Marine Planning Framework (NMPF)

The MPPS outlines the government's overarching vision, policies, and principles for managing the country's maritime area. The NMPF sets the framework for implementing the forward planning component of our marine planning system as set out in the MPPS. The proposal to undertake maintenance dredging for the Port of Waterford is consistent with the Ports and Shipping Policy 7 of the NMPF which relates to supporting proposals for maintenance dredging activities.

Underwater Cultural Heritage

The NMPF includes a policy on heritage assets (Heritage Assets Policy 1). The policy supports the conservation of the historic environment and heritage assets both along the coast and in the underwater environment. The aim of the policy is to ensure that proposals in the marine environment do not have a detrimental impact on marine and coastal heritage assets.

The applicant submitted an *Underwater Archaeological Impact Assessment* report in support of their licence application. The report considered the archaeological risk associated with the proposed areas to be dredged as well as the area proposed to deposit the dredge material. The report stated that while there are a number of known wrecks in the vicinity of the proposed maritime usage, there are no known archaeological assets within the footprint of the proposed dredge areas.

The applicant has a demarcated “*dumping exclusion zone*” on the maps associated with the offshore deposit site. This is a proposed exclusion zone by the applicant to minimise any potential impact to a known wreck. The wreck lies outside the confines of the historic offshore deposit site. The *Underwater Archaeological Impact Assessment* stated that care should be taken to ensure that the disposal of silt is retained within the boundary of the marine disposal site and should not be permitted to migrate towards the wreck. The licence, if granted, will include a licence map, showing the location within which the deposit of dredge material will be authorised.

It is recommended that a condition be included in the licence, requiring the holder to consult with the Underwater Archaeology Unit of the Department of Housing, Local Government and Heritage prior to the commencement of the activities and to comply with their requirements in relation to underwater cultural heritage.

3.2 National Biodiversity Action Plan (NBAP)

[Ireland's 4th National Biodiversity Action Plan](#) sets the national biodiversity agenda for the period 2023-2030. The objectives of the NBAP focus on the conservation and restoration of

biodiversity. Objective 2 of the NBAP is to meet urgent conservation and restoration needs. Part of its focus is to elevate efforts to tackle invasive alien species. It is recommended that a condition be included in the licence, if granted, to address the potential risks from invasive alien species.

3.3 Climate Action and Low Carbon Development Act, 2015

Section 15(1) of the Climate Action and Low Carbon Development Act requires relevant bodies, including MARA, to perform their functions in so far as practicable in a manner consistent with the governance framework set out therein. The Act sets legally binding targets for the reduction of greenhouse gases by 2030 and net-zero emissions by 2050. Considering the temporary and short-term nature of the proposed maritime usage, no significant increases in carbon emission are expected and no potential for indirect effects on climate change.

3.4 Birds and Habitats Directives (79/409/EC and 92/43/EEC)

MARA made an Appropriate Assessment (AA) Screening Determination on 19th November 2025 which concluded that the proposed maritime usage will require Stage 2 AA as it cannot be excluded, on the basis of objective scientific information, that the proposed maritime usage, either individually or in-combination with other plans or projects, will have a significant effect on a European site(s).

MARA undertook an appropriate assessment in respect to the proposed maritime usage, considering the documents submitted by the applicant and the observations received on foot of consultations with the public and relevant public bodies. The appropriate assessment concluded, for the purposes of Article 6(3) of the Habitats Directive and Regulation 42(11) of the Birds and Natural Habitats Regulations, that the proposed maritime usage, 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 mitigation measures. The Appropriate Assessment and Determination Report specifies the mitigation measures that must be included as conditions in the licence, if granted. These conditions are included in Appendix 1 of this report.

Articles 12 and 13 of the Habitats Directive impose obligations on Member States to establish a system of strict protection for animal and plant species listed on Annex IV of the Directive. The applicant submitted an Annex IV Species Risk Assessment in support of the application and in line with national guidance on underwater noise². 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 states that the sound exposure levels from the proposed maritime usage, within the immediate vicinity of the vessel, is within the temporary threshold shift for cetaceans and phocids. However, most marine mammals will typically move away from vessels and the sound pressure levels also decrease with distance from the noise source. At a distance of 1km away from the dredger it

² Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters. Department of Housing, Local Government and Heritage, 2014.

is expected that only harbour porpoise may be likely impacted, but at a level below the temporary threshold shift.

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, the risk assessment also concluded 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.

As a precautionary measure, it is recommended that a condition be included in the licence, if granted, requiring the appointment of a marine mammal observer to oversee the Permitted Maritime Usage using trailing suction hopper dredger and mechanical dredger.

The Annex IV Risk Assessment concluded that a derogation licence from the National Parks and Wildlife Service under the Birds and Natural Habitats Regulations, 2011, is not required for the proposed maritime usage.

3.5 Water Framework Directive (2000/60/EC)

The Water Framework Directive (WFD) requires EU member states to protect and improve water quality in all waters to achieve at least Good Status in inland surface waters, transitional waters, coastal waters and groundwater by 2027, at the latest. The proposed maritime usages will take place in the Middle Suir Estuary, Lower Suir Estuary, Barrow-Suir-Nore Estuary, Waterford Harbour and the Eastern Celtic Sea. Table 1 outlines the classifications of the waterbodies on foot of the most recent WFD assessment from the www.Catchments.ie. This included an assessment of ecological status, physicochemical elements and hydro morphological elements.

The waterbodies within which it is proposed to undertake the maritime usage are extremely complex and dynamic in their sediment movement, and as a result the sedimentation is highly variable. Sedimentation in the upper estuary is dominated by the tides, with greater sedimentation during a spring tide, due to the greater amount of energy present in the water body. Flood tides transport sediment up the estuary in the water column or as bed load. The majority of the ebb tide flows are not strong enough to keep the material in suspension to push the sediment back down the estuary. As a result, the sediment accumulates in the areas of lowest velocity. The sandbars at Duncannon and Cheekpoint are two such areas.

Hydro-morphology

Hydro-morphological pressures are the second most prevalent pressure on water bodies in Ireland. The Environmental Protection Agency advised in their submission on the licence application that they assess the hydro-morphological conditions of transitional and coastal

waters in Ireland. The hydro-morphological conditions for the water bodies where the proposed maritime usage may take place are good and moderate (Table 1). It is not expected that the proposed maritime usage will result in any long-term impacts on the hydro-morphology of the receiving waters, given the highly dynamic nature of the waterbodies in which the activity is proposed to be undertaken.

It is recommended that a condition be included in the licence that the holder undertake pre- and post-dredging bathymetric surveys to establish existing bed levels and depths and confirm post-dredging levels. The detail of these surveys should be required to be submitted to the UK Hydrographic Office (UKHO) upon completion of the dredging campaigns to enable the UKHO to maintain the admiralty charts used for navigation at sea. Furthermore, to avoid significant accumulations of dredged material, it is recommended that a condition be included in the licence, if granted, requiring the uniform spread of material at the offshore deposit site.

Table 1: WFD waterbody and hydromorphological status based on information from www.catchments.ie (2019-2024 monitoring data).

Waterbody	Waterbody type	Hydromorphological status	WFD Status
Middle Suir Estuary	Transitional	Moderate	Moderate (At risk)
Lower Suir Estuary (Little Island to Cheekpoint)	Transitional	Good	Moderate (At Risk)
Barrow-Suir-Nore Estuary	Transitional	Moderate	Moderate (At Risk)
Waterford Harbour	Transitional	Good	Good (At Risk)
Eastern Celtic Sea	Coastal	N/A	High (Not at Risk)

Benthic assessment

The applicant submitted a Benthic Ecology Survey in support of their licence application. The survey included sampling 27 stations in May 2023. The survey locations included 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 are muddy estuarine community complex and fine sand. 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.

Dispersion of dredge sediment from plough dredging

The applicant provided a dispersion assessment for plough dredging proposed to be undertaken at Cheekpoint Lower Bar³. The assessment reflects the tonnages and plough dredging proposed to be undertaken at Cheekpoint Lower Bar.

³ Port of Waterford, Waterford Estuary, Plough Assessment (November 2017) submitted as part of the MUL application.

The proposed tonnage at Cheekpoint Lower Bar represents more than 65% of the total applied for in the maritime usage licence. The model input parameters represent a worst case scenario with respect to potential for dispersion based on maximum tonnages. The applicant has stated that the total permitted ploughing tonnage permitted in 2023 under their foreshore licence was 159,165 wet tonnes. However, the port dredged a total of 32,910 wet tonnes of material throughout that year via plough dredging, approximately 20% of the total authorised dredging tonnage.

The practice to date under the existing consents (foreshore licence and dumping at sea permit) for plough dredging has been to dredge at Cheekpoint on every spring tide, only. The vessel works for 10.5 hours between the hours of 07:45 and 18:15 each day. Therefore, ploughing occurs at all stages of the tidal cycle.

The dispersion model used track plot information from previous ploughing campaigns at Cheekpoint, bed sample analysis and a synthesis of accretion rates and plough disturbance production rates to define the modelling scenarios simulated. The model analysed the sedimentation at high water, at low water, on an ebb tide and on a flood tide.

The dispersion model showed that dispersed sediment from Cheekpoint Lower Bar moves throughout the estuary, however, the vast majority of dispersed sediment is confined between Buttermilk Point (immediately south of Cheekpoint) and Little Island (just upstream of Belview Port).

The increased suspended solids concentration (above background), as predicted by the modelled plough assessment, indicate levels that are generally similar to those observed naturally in the system. Peak values arising from the plough campaign are predicted to be up to 1,000 to 2,000mg/l and limited in duration (less than 30 minutes) to isolated peaks around the times of the highest flows. These values compare against the peak measured concentrations during the observed storm event, with values of up to 1,000mg/l.

Dispersion of dredge sediment from the offshore deposit site

The applicant submitted a second dispersion model that 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. It is recommended that a condition be included in the licence, if granted, to regulate rate of deposition of dredge material.

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.

It is recommended that the licence include conditions requiring to pre- and post-dredge monitoring for turbidity and suspended solids to provide evidence that the sediment dispersion models submitted with the licence application are accurate and reflect the actual dispersion of sediment. The Holder will also be required to undertake corrective actions in the event of peaks of suspended solids levels exceeding those predicted in the models.

Given the recommended conditions as detailed in Appendix 1, it is not expected that there will be a deterioration in the ecological status of any waterbody/or specific waterbody as a result of the proposed maritime usage.

3.6 Marine Strategy Framework Directive (2008/56/EC)

The Marine Strategy Framework Directive (MSFD) sets the framework for European marine environmental policy. It aims to achieve Good Environmental Status (GES) for all marine waters in Europe and protect the resource base for marine related economic and social activities. Ireland’s 2024 assessment under Article 8 of the MSFD⁴ sets out the status of the 11 qualitative descriptors that describe the state of the marine environment and the pressures it faces. Table 4 sets out the current status of each of the descriptors and provides an assessment of the impacts of the proposed maritime usage on the descriptors relevant to this application.

Table 4: Assessment of impact of proposed activities on MSFD descriptors

MSFD Descriptor	GES achieved	Assessment
Biological diversity	Partially achieved	The applicant submitted an Annex IV risk assessment as part of the licence application. This report assessed the impacts of the proposed maritime usage and the assessment is incorporated into the licence assessment in Section 3.4 Birds and Habitat Directive.
Non-indigenous species	Yes	To ensure that the maritime usage activity does not result in the unintended introduction of non-indigenous species, the licence will include a condition relating to the control of invasive species in the hulls and ballast water of the relevant vessels.
Population of commercial fish/shellfish	Partially achieved	There are a number of licensed aquaculture sites within the vicinity of the proposed maritime usage area. These sites are licensed for the production of pacific oysters, blue mussels and mussel seed. These other marine users have been considered under Section 4 of this report below. The proposed maritime usage will not impact on this descriptor which relates to population size of commercially exploited stocks. Suspended solids and turbidity monitoring will be required to be undertaken and corrective actions must be taken by the holder of the licence in the event of an

⁴ [Ireland's Marine Strategy Part 1: Article 8, 9 and 10 report 2024.](#)

		<p>exceedance, in accordance with Appendix 1 of this report. In addition, it is a standard requirement in licences issued by MARA where Inland Fisheries Ireland or the Sea Fisheries Protection Authority be notified where an incident has the potential to impact water quality, fish or shellfish health. These measures will ensure there are no impacts on commercial shellfish sites.</p>
Marine food webs	Unclear	<p>The balance and diversity in marine food webs will not be impacted as a result of the proposed activity. Impacts on habitats and associated benthic communities and water quality have been assessed in Sections 3.4 and 3.5 of this report. Conditions have been recommended in Appendix 1 to mitigate any impacts on mitigation water quality, marine invasive species and fish populations.</p>
Eutrophication	Yes	<p>The proposed activity does not involve the addition of nutrients to the marine environment and as such will not impact this descriptor achieving good environmental status.</p>
Sea floor integrity	No	<p>The applicant submitted a Benthic Ecology Survey in support of their application which concluded that the proposed maritime usage will not have a negative impact on the benthic ecology of the proposed maritime usage areas. Furthermore, the proposed maritime usage will not alter the hydro-morphology of the waterbodies concerned due to their dynamic nature. It is recommended that conditions be included to ensure uniform spread of material at the deposit site and pre- and post-bathymetric surveys to confirm depths, as discussed under Section 3.5 Water Framework Directive.</p>
Alteration of hydrographical conditions	Yes	<p>The applicant has stated that the proposed maritime usage activity is for the purpose of maintaining navigation depths to ensure navigational safety to access the Port of Waterford. The proposed maritime usage will not significantly alter the hydrographical conditions of the waterbodies concerned. The applicant also submitted dispersion models with the licence application, discussed in detail in relation to the Water Framework Directive part of this report.</p>
Concentrations of contaminants	Yes	<p>The Dumping at Sea Act, 1996, as amended, provides the legislative framework for assessing the quality of dredged material in line with national standards⁵ and for assessing the likely impacts arising from the dumping at sea of contaminated sediments. As stated above, Port of Waterford has applied to the Environmental Protection Agency for a Dumping at Sea permit. Notwithstanding this, the applicant submitted an analysis of the sediment in the vicinity of the proposed maritime usage and concluded that the sediments are clean and typical of the sediments in the relevant waterbodies.</p> <p>Appendix 1 includes a recommended condition requiring the preparation of an oil pollution emergency plan and a</p>

⁵ Cronin et al., 2006. [Guidelines for the assessment of dredge material for disposal in Irish waters](#) and [2009 Addendum to the 2006 guidelines for the assessment of dredged material in Irish waters.](#)

		condition stating that the consent does not negate the holders responsibility under other legislation. Given these measures, it is not expected that the proposed maritime usage will negatively impact on the GES status of this descriptor.
Contaminants in fish/seafood for human consumption	Yes	The proposed maritime usage activity will not result in the introduction of contaminants in fish or seafood.
Marine Litter	No	While the proposed activity will not result in additional marine litter being introduced to the marine environment, it is recommended that a condition be included in the licence, if granted, to ensure proper management of any marine litter encountered during the course of the marine usage.
Introduction of energy including underwater noise	Yes	The impacts of underwater noise introduced as a result of the proposed maritime activity are assessed in the appropriate assessment associated with this licence application. The introduction of underwater noise, and its impacts is also considered in the Annex IV risk assessment. Both assessments have been considered as part of the overall assessment of this licence application.

3.7 Environmental Impact Assessment Directive (2014/52/EU)

MARA carried out a screening for Environmental Impact Assessment (EIA) of the proposed site investigation activities having considered Schedules 5 and 7 of the Planning and Development Regulations 2001. An EIA Screening Form was issued by MARA on 22nd September 2025 and it was concluded that the project does not fall within the scope of the EIA Directive and therefore an EIA is not required.

4. **Consideration of other maritime users**

MARA has had regard to the rights of other users as set out in Section 3 (3)(b) of the MAP Act. As discussed in Section 3.1 above, the NMPF requires that the potential impact of proposed activities avoid, minimise and mitigate potential impacts on other users and conditions have been recommended in Appendix 1 in this regard. Conditions are recommended to be included to ensure minimal disruption to other users including publication of a marine notice and not interfering with fishing activities.

5. **Site visit**

A site visit to Port of Waterford was undertaken on 26th November 2025. The site visit included a tour of the Port of Waterford at Belview, as well as the proposed areas to be dredged at O'Briens Quay, Belview Berths and Cheekpoint Lower. MARA was assisted on the site visit by Captain Ian Moriarty, Deputy Harbour Master and Mr Colm Sheehan (consultant for the applicant).

6. **Public consultation**

A public consultation was undertaken between 16th December 2025 and 24th January 2026, under Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 and under section 117(6)(b) of the MAP Act. Four (4 no.) submissions were received from members of the public. A summary of the submissions is provided below along with

MARA's response. The MARA website should be consulted to view the full details of the submissions received.

Submission 1

Submission summary

The submission was submitted by a fourth-generation weir owner on the River Suir. The submission states that the “*Environmental Protection Agency were remiss to forward*” on their previous correspondence. The documentation includes previous correspondence to An Bord Pleanála, Environmental Protection Agency and Department of Housing, Local Government and Heritage in respect of a planning application, dumping at sea permit application and a previous foreshore licence application. The submission in respect of the dumping at sea permit application is concerned with the collective approach to dredging on behalf of other organisations within Waterford area and the submitters rights for protection of their “*statutory rights to pass further comment as the need arises*”. The correspondence to An Bord Pleanála relates to a planning application for the proposed extension of port facilities to support offshore wind development. The correspondence to the Department of Housing, Local Government and Heritage relates to the foreshore licence application and associated documentation (FS006684).

MARAs response:

MARA notes the submission from the applicant. The application form, associated documentation, maps and correspondence associated with this licence application are available on the MARA website. It should be noted that Dumping at Sea is within the remit of the EPA. This assessment has considered all of the areas proposed in the MUL application. The application form has also confirmed that none of the proposed maritime usage area are within private ownership. Matters relating to development applications are for consideration by An Coimisiún Pleanála.

Submission 2

Submission summary

A submission was received by MARA objecting to the granting of a maritime usage licence in respect of this licence application. The submission included a number of documents including folios, letters, extracts from legislation and maps.

The following points were asserted by the submitter:

- The submitter is the owner of fishing rights within the proposed maritime usage area.
- The submitter is afforded legal protection under section 99 of the MAP Act in respect of privately owned foreshore.
- The submitter has not provided consent to the applicant to carry out dredging or any other maritime usage within his registered boundaries.
- Potential damage to several fishery resources on foot of the dredging undertaken by the applicant to date.

MARAs response:

MARA has reviewed the submission and has had regard to the associated documents in the submission.

Section 99 of the MAP Act, in relation to privately owned parts of the maritime area, applies to applications for Maritime Area Consents (MACs) and does not apply to Maritime Usage Licence applications.

MARA has assessed the impacts of the proposed maritime usage on fisheries within this report in relation to both the Water Framework Directive and the Marine Strategy Framework Directive. MARA has had regard to the state's obligations under the Birds and Habitats Directives, the Water Framework Directive and the Marine Strategy Framework Directive within this report and the associated Appropriate Assessment Report. Mitigation measures have been recommended to be included as conditions in the licence, if granted, to ensure that there will be no adverse impacts on habitats and species.

Submission 3

Submission summary

The submission received quotes a development application to An Coimisiún Pleanála (OA10.323575) and issues associated with the proposed development. The submission also references this application to MARA for a MUL, noting the increased area included in Cheekpoint Lower from 8.4Ha to 16.53Ha.

MARAs response:

Issues raised associated with development application referenced in the submission is a matter for An Coimisiún Pleanála to consider.

This application requests that the proposed maritime usage be undertaken at Cheekpoint Lower, covering an area of 16.52Ha. The applicant has stated that while the proposed maritime area being requested under the licence application is greater than that authorised under the foreshore licence, the overall tonnages that will be deposited at the offshore deposit site will not exceed 823,513 wet tonnes, the same tonnage as authorised under the previous foreshore regime. The proposed maritime usage and any associated impacts have been assessed in the preceding sections of this report. The assessment has recommended the inclusion of a number of conditions that will ensure the protection of the marine environment. Specifically in relation to increased sediments this included turbidity and suspended solids monitoring and specific periods when the dredging can be undertaken.

Submission 4

Submission summary

A submission was made on the proposed licence comprised of letters to both An Coimisiún Pleanála and the Environmental Protection Agency relating specifically to a development application and a dumping at sea permit application. The issues raised in relation to the

dumping at sea include reference to the increase dredge area, how the National Biodiversity Action Plan is considered in the assessment, consideration of fish stocks and shellfish beds, the position of the turbidity buoy and the impact of the proposed dredging on national monuments.

MARA Response:

Issues raised associated with development application referenced in the submission is a matter for An Coimisiún Pleanála to consider. While the submission to the EPA is specifically in relation to the dumping at sea permit, many of the issues are also relevant to this licence application under assessment by MARA. These issues have been considered in the assessment of this licence application and appropriate conditions are recommended in Appendix 1 of this report, to be included in the licence, if granted.

7. Public body consultation

MARA invited observations on the MUL application from relevant public bodies, six (6 no.) responses were received. The following table summarises the observations received along with MARA’s response. The MARA website should be consulted for details of the full observations. The issues raised in the submissions are noted and incorporated into the assessment of the licence application, as appropriate.

Submission 1: Department of Housing, Local Government and Heritage

Summary of observations

The submission included observations from the National Parks and Wildlife Service (NPWS) and the National Monuments Service (Underwater Archaeology).

The NPWS stated that it is satisfied that, *“subject to full implementation of the identified mitigation and monitoring measures, the proposed maintenance dredging and associated disposal activities will not adversely affect the integrity of any European site”*. The NPWS suggested a number of conditions to be included in the licence including requiring all mitigation measures from the Natura Impact Statement to be implemented and that any deviation from the licence footprint or frequency of the proposed activity be referred to NPWS for appropriate assessment screening. The NPWS also recommended including a condition that requires Port of Waterford to have ongoing liaison with Inland Fisheries Ireland regarding migratory fish passage during dredging operations.

The National Monuments Service proposed conditions to assist in ensuring the proposed maintenance dredging will align with statutory obligations and policy objectives for the protection of underwater cultural heritage. The NMS recommended that the mitigation measures in the *Port of Waterford Navigation and Maintenance Dredging Programme 2026-2033 Underwater Archaeological Impact Assessment* be implemented in full. The NMS also recommended that the applicant engage with NMS prior to commencement of the proposed maritime usage.

MARAs response:

MARA notes the information submitted and the concerns raised by the National Monuments Service and the National Parks and Wildlife Service. The submission includes a detailed list of requirements for mitigating impacts on underwater archaeology. It is recommended that the licence include a condition to consult with, and comply with the requirements of, the National Monuments Service prior to commencing the proposed maritime usage.

All licences granted by MARA include a condition specifying that the maritime usage is permitted for a specific term within the licensed area, thereby restricting the permitted maritime usage to an approved area.

All licences issued by MARA include a standard condition requiring the holder of the licence to notify the Inland Fisheries Ireland and/or the Sea Fisheries Protection Authority where an incident occurs that may impact on water quality or fish health.

With regard to the issue of fish passage, this is discussed in the context of the submission from Inland Fisheries Ireland, below, and in the Appropriate Assessment associated with this licence application. Mitigation has been recommended to be included in the licence on foot of the appropriate assessment limiting when and where plough dredging can be undertaken to minimise any adverse effects the proposed maritime usage may have on migratory fish.

Submission 2: Environmental Protection Agency (EPA)

Summary of observations

The EPA stated that the Port of Waterford has also submitted an application for a Dumping at Sea permit (Reg. S0012-05) on 8th February 2024. The application is currently under assessment with the EPA. The application is for the loading and dumping of 6,587,986 tonnes (wet weight) of dredged material within an existing offshore dumping site located approximately 2.5 kilometres southwest of Hook Head and further 2,203,704 tonnes (wet weight) of contingency for extreme weather events. The application is also for the dumping of dredged material by plough dredging of 1,273,318 tonnes (wet weight).

Port of Waterford hold an existing Dumping at Sea permit (Reg. S0012-03) which will expire on 31st December 2025.

The hydromorphological conditions of transitional and coastal waters in Ireland are assessed by the EPA using the Hydromorphology Quality Index (HQI). The hydromorphological conditions in the Lower Suir Estuary, Barrow Suir Nore Estuary and Waterford Harbour are currently classed as ‘good’, ‘moderate’ and ‘good’ respectively. Based on the information supplied with the Dumping at Sea Permit application, it is likely that there will be no change in the hydromorphological classification from the proposed activities.

The EPA also advised that the proposed activity should not result in a contravention of the Water Framework Directive 2000/60/EC, Habitats Directive 92/43/EEC, Birds Directive

2009/147/EC, Marine Strategy Framework Directive 2008/56/EC, Bathing Water Directive 73/160/EEC or Environmental Liabilities Directive 2004/35/EC.

MARAs response:

MARA notes the submission and has incorporated the information relating to the hydro-morphological conditions of the waterbody into the assessment under the Water Framework Directive above.

The MAP Act sets out the matters to which MARA must have regard to when considering an application for marine usage in accordance with Schedule 7 of the MAP Act.

Submission 3: Marine Survey Office (MSO)

Summary of observations

The MSO stated that there was *“insufficient information provided pertaining to compatibility of proposed maritime activity or usage and risk to safety of navigation to allow comment by the MSO”*.

MARAs response:

MARA notes the submission from the MSO. Conditions are included as standard in Marine Usage Licences in respect of the requirement to publish marine notices and the need for vessels to conform with the requirements of Irish certification standards.

Submission 4 & 5: Inland Fisheries Ireland (IFI)

Summary of observations

IFI initially provided detailed observations focussing on the impact of the proposed maritime usage on fish and water quality on 16th October 2025. MARA requested clarification on the submission and a second submission was received on 15th December 2025.

IFI stated that in addition to the designations under the Birds and Habitats Directives, the transitional waters in which it is proposed to undertake the maritime usage, has significant populations of Smelt, listed in the Irish Red Data Book for Vertebrates. There is also an important resident population of European Eel, listed by the IUCN as a critically endangered species.

The submission noted the potential for the activity to impact on fish passage into the Nore, Suir and Barrow Rivers through generation of elevated suspended solids and disturbing the physical form and ecology of the riverbed. IFI requested that the proposed dredging be timed so as to minimise disruption to migratory fish species.

IFI raised the issue of elevated nutrients in the Waterford Estuary both for nitrogen and the potential of re-suspended solids to mobilise phosphorous, contributing to eutrophication.

The submission was also concerned with the tonnages requested, specifically the capacity of the offshore deposit site to receive the tonnages and also the inclusion of contingency tonnages in the licence application.

The submission also requested that the applicant adhere to the “*Guidance to Manage the Risk to Marine Mammals from Man-made sound Sources in Irish Waters*”. IFI also requested that the applicant be required to notify IFI of any incident that may impact on water quality or fish welfare. The submission requested clarity on best practice measures to minimise release of suspended solids into the receiving waters.

The submission raised concerns about the dredging undertaken at Cheekpoint in terms of the elevated solids generated and how critical the area is for fish migration. IFI recommended a closed period for plough dredging from 1st March to 30th June.

MARA subsequently requested clarification on the requirement for this closed period. IFI withdrew their objection to undertaking plough dredging at Cheekpoint Lower Bar during 1st March to 30th June subject to a number of conditions:

- Plough dredging may only take place during daylight hours to minimise the impact on seasonal fish migrations;
- The closed season remains applicable at all other dredging sites;
- IFI are notified of incidents impacting water quality or fish welfare;
- Not overfilling barges.

MARAs response:

The appropriate assessment has considered the potential impacts of elevated suspended solids in the water column in detail, as had the assessment under the Section 3.5 Water Framework Directive above. It is recommended that conditions be included in the licence, if granted, for monitoring suspended solids and turbidity, uniform spread of material, overflow of material not permitted and documenting the measures taken to ensure suspended solids are not released into the water column.

MARA clarified the requirement for including contingency tonnages with the applicant during the assessment process. The annual and total tonnages for plough dredging and deposit at the offshore disposal site are included in Appendix 1 of this report.

The licence assessment has considered the impacts that the proposed maritime usage may have on fish passage, through potential impacts of water quality impairment in the appropriate assessment. The assessment recommends suitable mitigation in the form of a closed period plough dredging and only permitting the maritime usage during daytime.

Submission 6: Commissioners for Irish Lights (CIL)

Summary of observations

CIL advised that the organisation has no objection to the granting of a MUL from a safety of navigation perspective. The submission also notes the requirements associated with

statutory consents. CIL state that any appropriate assessment undertaken should include the impact of the deployment of surface marking buoys and associated moorings.

MARAs response:

MARA notes the submission. The Commissioner for Irish Lights is responsible for issuing Statutory Consents in relation to aids to navigation and the onus is on the applicant to ensure that all the required statutory authorisations are in place, for the proposed marine usage to go ahead. The assessment of the deployment of buoys must be undertaken by the Commissioner for Irish Lights as part of the assessment of their statutory consent process. It is recommended that a condition be included in the licence, if granted, stating that the MUL does not negate the responsibility of applicant to ensure they have all the necessary consents to undertake the proposed activity.

8. Recommendation

Having considered the information submitted in support of the application, I recommend that a Maritime Usage Licence, in accordance with Section 119 of the MAP Act, be granted to Port of Waterford Company, 3rd Floor Marine Point, Belview Port, Slieverue, Waterford for the purposes of undertaking maintenance dredging and deposit of dredged material, subject to the conditions in Appendix 1.



Suzanne Wylde

Senior Marine Advisor

Appendix 1 – Recommended Conditions

Recommended term of licence for inclusion in the *Particulars Schedule*:

Recommended Term of licence to be **8 years** from date of commencement.

Reason: To ensure the orderly administration of licensed maritime usages in the maritime area.

Recommended conditions for inclusion in *Appendix 2: Specific Conditions of the Marine Usage Licence, if granted*.

1. The Permitted Maritime Usage shall be carried out in accordance with the plans and particulars submitted in support of the application for this Licence.

Reason: To clarify the scope of this licence and ensure protection of the marine environment.

2. 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.

Reason: To ensure protection of maritime heritage.

3. 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.

Reason: To ensure safe navigation.

4. The Holder shall not damage or interfere with any third party's property while carrying out the Permitted Maritime Usage.

Reason: To minimise impact on other users of the marine environment.

5. Prior to the commencement of the Permitted Maritime Usage the Holder shall consult with **Port of Waterford Company** to plan and schedule the Permitted Maritime Usage in order that any potential disruption to port operations is managed.

Reason: To ensure the orderly undertaking of the proposed maritime usage.

6. 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.

Reason: To ensure protection of the marine environment.

7. 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.

Reason: To ensure protection of the marine environment.

8. Marine Mammals

- (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.

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

9. 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.

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

10. On completion of the activity, the Holder shall provide the United Kingdom Hydrographic Office (UKHO) at <https://ukhodataupload.admiralty.co.uk/> or sdr@UKHO.gov.uk and the INFOMAR program at support@geodata.gov.ie with the final bathymetric data from this Permitted Maritime Usage so that the appropriate charts can be updated.

Reason: To ensure the safety of navigation at sea and the protection of the marine environment through availability of monitoring data.

11. 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 Climate, Energy and the Environment at marine.env@dcee.gov.ie. This data shall be provided in the reporting format of the OSPAR Impulsive Noise registry.

Reason: To ensure protection of the marine environment through availability of monitoring data.

12. Accidental events

The Holder shall ensure that there is an oil pollution emergency plan on-board any survey vessels. This plan should specify:

- (i) Information on the location and detail of spill response resources on-board;
- (ii) Information on crew training in relation to oil pollution response;
- (iii) How crew will interface with other site investigation operators, where applicable.

Reason: To provide appropriate controls on the Permitted Maritime Usage to ensure protection of the marine environment.

13. 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.

Reason: To minimise impact on other users of the marine environment.

14. Marine Litter

- (i) The Holder shall take all practicable efforts to remove any solid waste collected during the maritime usage activity and returned to shore.
- (ii) The Holder shall take all practicable efforts to remove floating material collected during the maritime usage activity and returned to shore.

- (iii) The Holder shall ensure that material dredged by trailing suction hopper dredger or other mechanical dredging is passed through grid screens no larger than 30cm to minimise the amount of man-made materials disposed of at sea. Any solid waste must be separated from the dredged material and disposed or recovered ashore.
- (iv) Disposal or recovery of solid waste shall only take place in accordance with the conditions of this licence and in accordance with the appropriate national and European legislation and protocols.

Reason: To ensure protection of the marine environment.

15. 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.

Reason: To ensure protection of the marine environment.

16. 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.

Reason: To ensure protection of the marine environment.

17. 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.

Reason: To ensure protection of the marine environment.

18. 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.

Reason: To ensure protection of the marine environment.

19. Deposit of dredged material shall be carried out in a manner that ensures a uniform spread of material in the Licensed Area.

Reason: To ensure protection of the marine environment.

20. 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

Reason: To ensure protection of the marine environment.

21. 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.

Reason: To ensure protection of the marine environment.

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

Reason: To ensure protection of the marine environment.

23. Dredging shall only be undertaken by trailing suction hopper dredger, mechanical dredging or plough dredging, unless otherwise agreed by the Grantor.

Reason: To ensure protection of the marine environment.

24. The Permitted Maritime Usage shall be undertaken during daytime only.

Reason: To ensure the protection of the marine environment.

25. Plough Dredging

(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.

Reason: To ensure protection of the marine environment.

New Definitions

Spring Tide The tide with the greatest tidal range (i.e. the highest high water and the lowest low water), occurring twice monthly at full and new moon periods.

Daytime 0700hrs to 1900hrs