

Maritime Usage Licensing and Planning Advisory Directorate Maritime Usage Licence Material Amendment Assessment Report			
To:	John Evans, Director	From:	Ross Fitzgerald, Marine Analyst
Date:	24/09/2026	Maritime Usage Licence Material Amendment Application No:	LIC230014MA
Applicant:	Shannon Foynes Port Company, Mill House, Foynes, Co. Limerick, V94 R232		
Material Amendment application received:	20/10/2025		
Type of maritime usage activity in accordance with Schedule 7 of the Maritime Area Planning Act 2021:	<i>3. Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000.</i>		
Location of proposed Material Amendment:	Foynes, Co. Limerick		
Environmental Impact Assessment (EIA) Screening	EIA not required (EIA Screening Form dated 26/06/2026)		
1st request for additional information (RAI) issued:	14/05/2026	Response to 1 st RAI received	04/06/2026
Notice requesting Natura Impact Statement (NIS) issued:	26/06/2026	NIS received:	21/07/2026
Public body consultation:	30/10/2025 – 30/11/2025	Observations from public bodies received:	Six
Public consultation:	30/07/2026 – 30/08/2026	Submissions from the public received:	One

Contents

1.	Background.....	3
1.1	Site investigations undertaken to date	3
2.	Location and Description of the Proposed Material Amendment.....	4
3.	Assessment.....	7
3.1	National Marine Planning Framework (NMPF)	7
3.2	Environmental Impact Assessment Directive (2014/52/EU) (EIA Directive).....	8
3.3	National Biodiversity Action Plan (NBAP).....	8
3.4	Climate Action and Low Carbon Development Act 2015, as amended.....	9
3.5	Water Framework Directive (2000/60/EC).....	9
3.6	Marine Strategy Framework Directive (2008/56/EC).....	10
3.7	Annex IV species	13
3.8	Appropriate Assessment	14
3.8.1	Assessment of Likely/Potential Impacts on European Sites.....	15
3.8.2	Assessment of In-combination effects	18
3.8.3	Mitigation measures.....	22
3.8.4	Residual effects.....	23
3.8.5	Assessment of Transboundary effects	23
3.8.6	Appropriate assessment conclusion.....	23
4.	Consideration of other maritime users.....	24
5.	Site visit	24
6.	Public body consultation	24
7.	Public Consultation.....	27
8.	Recommendation	30
9.	Appropriate Assessment Determination.....	31
10.	Appendix 1.....	32

1. Background

Shannon Foynes Port Company (the applicant) has applied to the Maritime Area Regulatory Authority (MARA) for a Material Amendment to a Maritime Usage Licence (MUL), ref. LIC230014 (“the MUL”), in accordance with Section 125 of the Maritime Area Planning Act, 2021 (“the MAP Act”). The MUL was granted, with conditions, by MARA on 14/10/2024 for a period of seven years. The MUL granted was for marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Planning and Development Act 2000 (“the Act of 2000”), under Schedule 7(3) of the MAP Act. The purpose of the original application made to MARA was for site investigations to support the planning and preliminary engineering design of the Foynes Deep Water Berth Development on Foynes Island and an access bridge from Foynes Port to the south-east corner of Foynes Island.

Shannon Foynes Port Company has now applied to MARA to materially amend the MUL. This requested amendment is for further geophysical and geotechnical surveys in two additional areas to further support the planning and preliminary engineering design of the Foynes Deep Water Berth Development on Foynes Island and to inform additional proposed improvements to Foynes Yacht Club (as part of the Community Gain elements of the project).

1.1 Site investigations undertaken to date

To date, the marine geophysical surveys licensed under LIC230014 have been completed. The geotechnical and sediment sampling licenced under LIC230014 comprises two phases. Phase 1 was completed in February 2025 and included the following:

- Area A
 - Drilling of 26 of the 71 boreholes originally programmed. Presence of reef and accessibility meant a number of boreholes could not be completed
 - Collection of 16 grab samples
 - Drop down video survey
- Area B
 - Drilling of three of the eight boreholes. Presence of reef and accessibility meant a number of boreholes could not be completed
 - Collection of eight benthic faunal samples

Phase 1 boreholes were between 7 and 33 metres in depth. The boreholes had a diameter of 180mm. Phase 2 is to be completed and involves:

- Area A - drilling of 62 boreholes

- Area B – drilling of 22 boreholes

2. Location and Description of the Proposed Material Amendment

The proposed Material Amendment is located in the vicinity of Foynes Island (see Figure 1) and has a total area of approximately 15.72ha, which is additional to that granted under LIC230014 (Areas A and B, Figure 1). Additional geophysical and geotechnical site investigations are proposed in two discrete areas, labelled “Area C” (15.30ha) and “Area D” (0.42ha) in Figure 1. Table 1 summarises the proposed Material Amendment activities. The applicant states that the proposed geophysical surveys and grab sampling will take approximately four weeks to complete, whilst the proposed geotechnical surveys will take approximately 16 weeks to complete. The proposed Material Amendment will not require access to Foynes Island itself and will be conducted entirely from vessels within the marine environment.

The substrate in the proposed Material Amendment area is dominated by mixed sediment and fine sandy or muddy habitat with depths from <1m up to approximately 25m and provides a number of typically estuarine seabed habitats. The proposed Material Amendment area overlaps the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA. The Lower River Shannon SAC includes designation for several protected habitats, such as estuaries, reefs, mudflats, and sandflats not covered by seawater at low tide. The Shannon Estuary is also a busy commercial channel, with Shannon Foynes Port, Aughinish Alumina and Limerick Port.

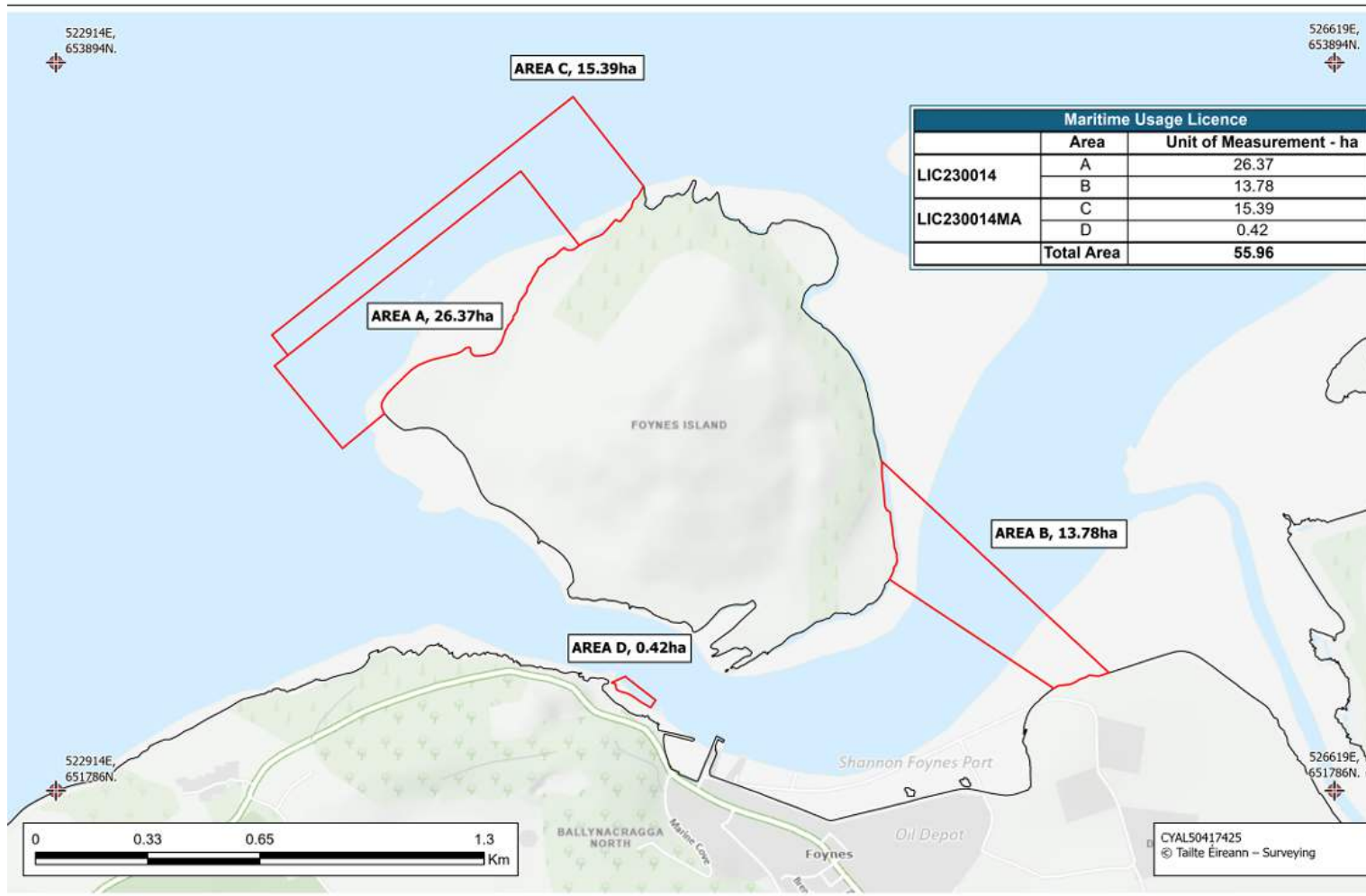


Figure 1 – Location of the proposed Material Amendment area. Areas A and B relate to the granted MUL (LIC230014). Areas C and D relate to the current Material Amendment application (LIC230014MA)

Table 1: Summary of proposed activities

Proposed Activities	Details
Geophysical – Areas C and D • Multibeam Echosounder • Side-scan Sonar (dual frequency, low and high) • Sound Velocity Profiler • Sub-bottom Profiler (SBP) – <i>Chirper</i> • Sub-bottom Profiler (SBP) – <i>Sparker</i> • Magnetometer	Main lines will be spaced at 20m apart in shallow waters, increasing to 50m spacing in deeper water Cross lines will be spaced at 200m apart Additional infill lines in shallow areas may be required
Geotechnical – Area C • 6no. boreholes • 18no. subtidal grab samples • 2no. intertidal stove-pipe core • 2no. surface scrape samples • Drop down video	30-45m deep Up to 250mm diameter Deployed from jack-up barge Cable percussive drilling (or rotary drilling if rock is to be penetrated) 0.1m² each 0.028m² each 5-10 locations within and adjacent to known reef area

• 1no. vibrocore	2m deep 75mm diameter
Geotechnical – Area D 1no. borehole 3no. subtidal grab samples	30- 45m deep Up to 250mm diameter Deployed from jack-up barge Cable percussive drilling (or rotary drilling if rock is to be penetrated) 0.1m ² each

3. Assessment

In assessing a MUL application, MARA must have regard to the criteria specified in the MAP Act, as discussed in this section. Additionally, regard has been had to the assessments carried out in relation to the granting of LIC230014.

3.1 National Marine Planning Framework (NMPF)

MARA must have regard to the Marine Planning Policy Statement (MPPS) which outlines the government's overarching vision, policies, and principles for managing the country's maritime area. MARA must also have regard to NMPF, which sets the framework for implementing the forward planning component of our marine planning system as set out in the MPPS.

The applicant has, as part of the Assessment of Impacts of the Maritime Usage report submitted in support of this application, identified and confirmed the relevant marine planning policies which apply to the proposed Material Amendment. A number of environmental and sectoral activity policies detailed in the NMPF are covered in other sections of this report, including, but not limited to, the National Biodiversity Action Plan (NBAP), the Birds and Habitat Directives, the Water Framework Directive (WFD), the Marine Strategy Framework Directive (MSFD) and Consideration of other maritime users (Section 4).

Regarding the Key Sectoral Policies of the NMPF, the proposed Material Amendment is consistent with Chapter 13 and Chapter 18, *Ports, Harbours and Shipping* and the policies within them. The proposed Material Amendment will support the applicants overarching plan for delivering offshore renewable energy construction, operation and maintenance facilities at Shannon Foynes Port.

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 states that the following archaeological mitigation will be implemented:

- Marine geophysical data review to identify any features/anomalies of archaeological potential
- Pre-disturbance underwater/intertidal inspection of any features/anomalies deemed to be of archaeological interest
- Avoidance of any archaeological/historic significance positively identified
- Ongoing archaeological monitoring when carrying out the works

The MUL has a condition requiring the Holder to consult with the Underwater Archaeology Unit (UAU) of the Department of Housing, Local Government and Heritage prior to the commencement of the Permitted Maritime Usage and to comply with their requirements. This condition will ensure that potential impacts on underwater cultural heritage are avoided.

3.2 Environmental Impact Assessment Directive (2014/52/EU) (EIA Directive)

MARA carried out a screening for EIA of the proposed Material Amendment, having considered Schedules 5 and 7 of the Planning and Development Regulations 2001. An EIA Screening Form was issued by MARA on 26/06/2026 and it was concluded that the proposed Material Amendment does not fall within the scope of the EIA Directive and therefore an EIA is not required.

3.3 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. The MUL (LIC230014) has a condition to address the potential risks from invasive marine species as a result of the Permitted Maritime Usage. This condition will ensure that the activities proposed under the Material Amendment will not result in the introduction of invasive marine species. Sections 3.5–3.8 of this report also address the Water Framework Directive (WFD), Marine Strategy Framework Directive (MSFD) and the Habitats and Birds Directives and recommend conditions to minimise impacts on biodiversity from the proposed Material Amendment.

3.4 Climate Action and Low Carbon Development Act 2015, as amended

Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended (the 'Climate 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 nature of the proposed Material Amendment, no significant increases in carbon emissions are expected to be produced.

3.5 Water Framework Directive (2000/60/EC)

The WFD requires EU member states to protect and improve water quality in all waters to achieve at least good ecological status in inland surface waters, transitional waters, coastal waters and groundwater by 2027, at the latest. The ecological status of coastal and transitional waterbodies is based on the assessment of biological quality elements (phytoplankton, benthic invertebrates, macroalgae, angiosperms and fish¹) as well as supporting chemical (specific pollutants), physico-chemical (e.g. temperature, salinity, nutrients) and hydromorphological quality elements. The proposed Material Amendment will take place in a number of waterbodies, as outlined in Table 2.

Table 2: Information on the Water Framework Directive (WFD) waterbodies located within the MUL application area from the reporting period 2019–2024, including status, risk and significant pressures for the at-risk waterbodies².

Waterbody	Waterbody Type	WFD Status	WFD Risk ³	WFD Significant Issues & Pressures
Foynes Harbour	Transitional	High	Review	N/A
Lower Shannon Estuary	Transitional	Good	Not at risk	N/A

The drilling of boreholes and removal of sediment from the seabed may introduce small amounts of sediment into the water column. The applicant states that the proposed borehole drilling will involve cable percussive techniques, which are less energetic than rotary drilling, thus minimising sediment dispersal. While rotary drilling may subsequently be utilised to penetrate underlying bedrock, the applicant states that both drilling techniques will utilise an

¹ Fish are a biological quality element in transitional waterbodies

² From www.catchments.ie

³ "At risk" means at risk of not achieving good status by 2027; "Not at risk" means no risk in maintaining current status, "Review" means waterbodies have insufficient information to determine the risk, or have had measures implemented but some additional monitoring is required to confirm that the expected improvements have been achieved

overburden casing system which, by its nature, will limit suspended sediments entering the water column.

The activities may also result in a temporary displacement of benthic invertebrates and fish. However, the geographical and temporal extent of this impact will be limited, with currents and tides ensuring that any sediment generated is quickly dissipated. It is expected that any displaced benthic communities and fish will rapidly recolonize the area once works are complete (see also Section 3.8.1.2 of this report for further discussion in relation to migratory fish). To minimise the impacts of increased sedimentation as a result of the proposed borehole drilling activities on the WFD elements, it is recommended that a condition be included in the Materially Amended MUL, if granted, requiring the Holder take all practicable efforts to ensure that any arisings from boring and drilling activities are collected and are stored and disposed of in accordance with the relevant National and European waste legislation and protocols.

There is a possibility that fuel or oil spills from the vessels or equipment used may cause a negative impact on water quality and WFD Status. The MUL has a condition requiring the Holder to have an oil pollution emergency plan in place in the event of an accident. The applicant has also outlined further mitigation measures to lessen the risk of fuel or oil spills as part of the application and the MUL has a condition stating that the Permitted Maritime Usage shall be carried out in accordance with the plans and particulars submitted in support of the MUL application.

The proposed Material Amendment will not increase the risk of deterioration in the overall WFD Status of the Lower Shannon Estuary and Foynes Harbour transitional water bodies.

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

The 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 assessment⁴ under Article 8 of the MFSD sets out the status of the 11 qualitative descriptors that describe the state of the marine environment. Table 3 sets out the status of the relevant descriptors and assesses the potential impacts of the proposed Material Amendment.

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

Table 3: Assessment of impact of the proposed Material Amendment on the MSFD descriptors

MFSD Descriptor	Good Environmental Status achieved	Assessment
Biological diversity	Partially achieved	MARA has undertaken an Appropriate Assessment (AA) in respect to the proposed Material Amendment (see Section 3.8). Biodiversity is also discussed in Section 3.3 of this report. Mitigation measures which address potential impacts on biological diversity have been identified and are included as conditions in the MUL. This descriptor will not be impacted, subject to those mitigation measures.
Non-indigenous species	Yes	The MUL has a condition to address the potential risks from invasive marine species as a result of the Permitted Maritime Usage. This condition will ensure that the activities proposed under the Material Amendment will not impact this descriptor.
Population of commercial fish/shellfish	Partially achieved	The proposed Material Amendment area does not overlap with any known fish spawning or nursery areas and is not in the vicinity of any licensed aquaculture sites. It is < 1km from a Fishery Order for European Flat Oyster. The proposed Material Amendment is small scale and temporary in nature and will not impact on this descriptor, which relates to population size of commercially exploited stocks.
Marine food webs	Unclear	The balance and diversity in marine food webs is not expected be impacted as a result of the proposed Material Amendment.
Eutrophication	Yes	The proposed Material Amendment does not involve the addition of nutrients to the marine environment and as such will not impact this descriptor achieving GES.
Sea-floor integrity	Partially achieved	The impacts of the proposed Material Amendment in relation to physical disturbance and habitat loss are assessed in Section 3.8.1.1 of this report. Soft seabed substrates are expected to return to normal levels relatively quickly. The MUL has a condition to address the potential risks to Annex I Reef habitat as a result of the Permitted Maritime Usage. This descriptor will not be impacted, subject to those mitigation measures.

Alteration of hydrographical conditions	Yes	The proposed Material Amendment will not alter the hydrographical conditions (e.g. changes in wave action, currents, salinity, temperature) in the area.
Concentrations of contaminants	Yes	The MUL has a condition relating to the preparation of an oil pollution emergency plan to mitigate for any accidental introduction of contaminants to the marine environment. Given the nature and duration of the proposed Material Amendment, it is not expected that the Material Amendment will negatively impact on the GES status of this descriptor.
Contaminants in fish/seafood for human consumption	Yes	The proposed Material Amendment will not result in the introduction of contaminants in fish or seafood and therefore, will not impact on the GES status of this descriptor.
Marine Litter	No	The proposed Material Amendment will not result in the introduction of marine litter to the marine environment and thus will not impact on the achievement of GES status of this descriptor. The MUL has a condition requiring the Holder to remove all plant and equipment associated with the Permitted Maritime Usage and to restore the licensed area to its original condition.
Introduction of energy including underwater noise	Yes	The impacts of underwater noise introduced as a result of the proposed Material Amendment are assessed in Section 3.7 and 3.8 of this report. A condition relating to management of underwater noise disturbance of marine mammals and fish has been included in the MUL. The MUL contains a condition requiring the Holder to submit details of all acoustic surveys to the Marine Environment Section of the Department of Housing, Local Government and Heritage, in order to inform the data collected as part of MSFD requirements. It is recommended to update this condition to reflect that the Marine Environment Section are now part of the Department of Climate, Energy and the Environment and to specify the reporting format required.

3.7 Annex IV species

Articles 12 and 13 of the Habitats Directive (92/43/EC) 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 a Risk Assessment for Annex IV Species (RAAIVS) report in support of their Material Amendment application and in line with national guidance on underwater noise⁵. The risk assessment considered the scope of the proposed Material Amendment, the relevant Annex IV species (cetaceans, seals (though not an Annex IV species), turtles, otters and bats) and the potential impacts of the proposed Material Amendment on those species. The Shannon Estuary is of particular importance for a resident population of the Bottlenose dolphin (*Tursiops truncatus*), numbering 120-150 individuals and Bottlenose dolphin is a Qualifying Interest for the Lower River Shannon SAC. Harbour porpoise and Common dolphin are regularly recorded in the lower Shannon Estuary, however occurrence of both species in the vicinity of Foynes is relatively rare. The applicant considered underwater noise from geophysical and geotechnical surveys to be the impact most likely to have a potential effect on Annex IV species in the proposed Material Amendment area.

Due to the location and the short-term, temporary nature of the proposed Material Amendment, underwater noise from the proposed activities is unlikely to significantly impact bats or turtles.

The proposed Material Amendment has the potential to impact otters, which are common in the vicinity of the proposed Material Amendment area. The applicant states that surveys for otters were undertaken around Foynes Island in 2023. In addition to surveying for evidence indicating the presence of otters, these surveys also assessed the suitability of areas of the island for breeding otters. The surveys recorded fairly limited signs indicative of the presence of otters including a number of spraint locations along the northern and western shores of the island. The applicant states that the presence of a constant source of freshwater is an important factor in the suitability of an area for otter holts. Otters hunting in saline water require freshwater to wash the salt from their fur to maintain its waterproofing properties. Surveys of the island recorded no surface watercourses which are likely to support a continuous freshwater flow. Therefore, the applicant considers it relatively unlikely that the island supports a natal holt or den.

The proposed Material Amendment area is already subject to some level of human disturbance and there are much larger areas of suitable habitat for the species in the wider locality. In addition, otters are primarily nocturnal, although coastal otters certainly appear to be less so, and the works will take place largely during the day. The proposed Material Amendment will have extremely limited potential to impact upon terrestrial resting and breeding locations for otters. Notwithstanding this, the RAAIVS states that a dedicated, qualified and experienced Marine Mammal Observer will keep watch for otters during

⁵ [Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters. Department of Housing, Local Government and Heritage, 2014](#)

geotechnical and geophysical activities, and that the start-up of those activities will be delayed should otters be sighted within the prescribed mitigation zones. The MUL contains a condition stating that the Permitted Maritime Usage shall be carried out in accordance with the plans and particulars submitted in support of the application for this Licence.

Given the marine mammal injury criteria proposed by Southall *et al.*, 2019⁶, the proposed geophysical and geotechnical surveys have the potential to negatively impact Annex IV marine mammal species in the proposed Material Amendment area, if they were in close range to the activities. Effective mitigation will be required to avoid potential negative impacts on these species. The MUL contains a condition relating to the need for the Holder to appoint a marine mammal observer (MMO) and to adhere to the national guidance for underwater noise and marine mammals. It is recommended to update this condition in the Materially Amended MUL, if granted, to ensure the MMO follows the most up to date national guidance and to require publication of monitoring results (see Section 3.8.3 below). Furthermore, the MUL contains a condition to minimise underwater noise impacts as result of in-combination effects with other projects. It is recommended to update this condition in the Materially Amended MUL, if granted, to reflect the most up to date evidence on the Effective Deterrence Ranges⁷.

The applicant has assessed the requirement for a derogation licence from the National Parks and Wildlife Service (NPWS) under the (Birds and Natural Habitats) Regulations 2011 as amended. The applicant states that a derogation is not required for the proposed Material Amendment.

3.8 Appropriate Assessment

The Habitats Directive (92/43/EC) and the Birds Directive (2009/147/EC) are transposed into Irish law by the European Communities (Birds and Natural Habitats) Regulations 2011, as amended (the Regulations) and by Part XAB of the Planning and Development Act 2000. The Material Amendment application was subject to screening for appropriate assessment (AA) by MARA in accordance with the Regulations. MARA made an AA Screening Determination on 26/06/2026 which concluded that the proposed Material Amendment will require Stage 2 AA as it could not be excluded, on the basis of objective scientific information, that the proposed project, either individually or in-combination with other plans or projects, will have a significant effect on European sites.

Eight Special Areas of Conservation (SACs) and one Special Protection Area (SPA) were screened in for appropriate assessment by MARA. These European sites, their Qualifying Interests (QIs) and likely or potential sources of impact as a result of the proposed Material

⁶ <https://www.aquaticmammalsjournal.org/article/vol-45-iss-2-southall/>

⁷ [JNCC Report 803, 2025.](#)

Amendment are included in Appendix 1 of this report. The applicant submitted a Natura Impact Statement (NIS) in support of the application, dated 21/07/2026.

3.8.1 Assessment of Likely/Potential Impacts on European Sites

The potential impacts on European sites and their QIs in view of the site's conservation objectives are summarised as: physical disturbance and habitat loss, increase in sedimentation, disturbance from underwater noise and above water noise and visual disturbance and displacement and underwater noise disturbance and displacement. This section discusses those impacts individually. Any mitigation measures recommended on foot of the assessment in this section are included in Section 3.8.3 - Mitigation Measures.

3.8.1.1 Physical disturbance and habitat loss

The proposed marine amendment activities will take place within the Lower River Shannon SAC in an area supporting the Annex I habitat Estuaries [1130] and Reefs [1170]. Regarding the proposed borehole drilling and associated use of the jack-up barge footings, the total affected areas represent an extremely small proportion of the total area of the relevant Annex I habitats supported within the SAC. Direct disturbance of the estuarine habitat associated with borehole creation will be temporary in nature and it is anticipated that borehole locations will be subject to rapid and natural filling by surrounding sediment. Any impacts associated with the deployment of the jack-up barge legs will be temporary and confined to the period of operation, with no long-term effects on the seabed. Any effects will occur within an energetically active marine environment which supports significant quantities of mobile sediment as part of the natural processes of sediment transport which occur throughout the estuary. No permanent estuarine habitat losses are predicted to arise as a result of the proposed Material Amendment.

In identifying borehole locations, the applicant took into consideration the Annex I data available on the NPWS website, as well results of a benthic survey undertaken as part of investigations under LIC230014. On the basis of the most recent scientific information available to the applicant, no site investigations are proposed in Annex I reef habitat. However, the applicant acknowledges that it is possible that previously unmapped reef habitat may occur in the areas of proposed marine site investigations. Thus mitigation, as outlined in Section 3.8.3 below, will be required to prevent unintentional damage to any areas of previously unrecorded reef habitat.

The applicant states that proposed grab sampling will involve the removal of a maximum of 0.1m² of material at each sample location. The single proposed vibrocore comprises an area of 0.004m². It is considered that such small sample volumes will have no potential to give rise to significant effects upon any Annex I habitat within the SAC through habitat loss.

Given the small-scale, temporary nature of the proposed activities and the natural capacity for any affected areas to recover, along with the mitigation identified in Section 3.8.3, the

proposed Material Amendment does not have the potential to give rise to significant effects on habitats, or adversely affect the integrity of, any European site, in view of the sites' conservation objectives.

3.8.1.2 Increase in sedimentation

The MARA AA Screening and Determination Report identified increased sedimentation levels arising from the proposed Material Amendment activities as having the potential to have an effect on migratory fish species listed as QIs of the Lower River Shannon SAC. The proposed Material Amendment will result in temporary disturbance to the estuary bed and the mobilisation of sediment through the placement of jack-up rig footings, borehole drilling and collection of grab samples. Elevated, long-term sedimentation rates in a concentrated area are known to have significant impacts on fish species from immediate impacts such as clogging of gills, disruption of migration and smothering of spawning beds, to longer-term effects such as increased pathogen and heavy metal loads.

The proposed works are located a significant distance downstream of any known spawning habitats for QI fish species within the SAC. While the proposed activities are adjacent to migration routes for salmon, and two of the three lamprey species listed (Brook lamprey is a freshwater, non-migratory species absent from the proposed Material Amendment area), it is in an environment which is subject to significant natural sediment load associated with estuarine habitats and any sediment generated by the proposed activities will be quickly dissipated. Additionally, the proposed activities are temporary in nature and are spatially confined to the area around Foynes Island and will not obstruct migration corridors. Furthermore, as mobile species, these species generally have the ability to avoid such localised disturbances. Nevertheless, mitigation has been recommended to minimise suspended sediments resulting from the activities, as outlined in Section 3.8.3 below.

Given the short-term, localised nature of the maritime activities, coupled with the mitigation measures, the proposed Material Amendment does not have the potential to give rise to a significant effect on, or adversely affect the integrity of, any European site, in view of the sites' conservation objectives as a result of increased suspended sediment concentrations.

3.8.1.3 Disturbance from underwater noise

The MARA AA Screening and Determination Report identified the potential for sound sources from survey activities to be at a level and duration that could cause a significant negative impact on marine mammals and migratory fish.

Regarding vessel noise, the applicant states that the proposed Material Amendment activities will require a single vessel, tug and jack-up barge. The proposed Material Amendment is located in the Shannon Estuary and adjacent to Shannon Foynes Port, an area with regular marine traffic generating significant underwater noise. Any vessel noise arising from these activities will be of a short duration and is unlikely to result in an appreciable increase in noise

levels in the proposed Material Amendment area, above normal baseline levels. Thus, underwater noise from vessel activities associated with the proposed Material Amendment will not have a significant negative impact on marine mammals and migratory fish.

In reference to the proposed drilling and coring activities, the applicant states that sound levels are unlikely to exceed previously recorded levels for similar setups with upper sound pressure levels of 147dB (re 1 μ Pa), which is below the limit for hearing impact for Bottlenose dolphin, Harbour porpoise and Grey seal.

Given the marine mammal injury criteria proposed by Southall *et al.*, 2019⁸, the geophysical survey equipment (in particular the sparker sub-bottom profiler) to be used in the proposed Material Amendment has the potential to induce permanent auditory injury (or Permanent Threshold Shift (PTS)) at close range, or temporary hearing impairment (or Temporary Threshold Shift (TTS)) and disturbance at further distances from the noise source. Therefore, the measures listed in Section 3.8.3 will be required to mitigate against these potential significant effects.

The effects of underwater noise on those QI fish species of the Lower River Shannon SAC are poorly understood. However, these species may be vulnerable to high levels of underwater noise and vibration at several stages in their life cycle. With the exception of Brook lamprey (a freshwater, non-migratory species absent from the proposed Material Amendment area), these fish potentially move through the waters surrounding Foynes Island during their migratory phases. Nevertheless, migratory fish, particularly Atlantic salmon, are not expected to remain in the brackish waters of the estuary for considerable periods.

Regarding auditory impacts, Lamprey species lack a swim bladder, while the swim bladder in the Atlantic Salmon is not linked directly to the inner ear. Therefore, these QI species lack the structural ability to detect the high-frequency sounds typically associated with the majority of the proposed geophysical surveys. However, the Sparker sub-bottom profiler may utilise lower frequencies that overlap with the hearing ranges of these species. For geotechnical works such as boring and drilling, the low operational source levels mean there is a negligible risk to fish or their larvae, even at close range.

Furthermore, the proposed works are located a significant distance downstream of any known spawning habitats for QI fish species within the SAC. Any localized underwater noise or vibrational effects will exclusively interact with passing juvenile or adult fish, which are not recorded as highly sensitive to these specific acoustic frequencies. Additionally, the mandatory ramp-up (soft-start) procedure outlined in the marine mammal noise mitigation protocols (Section 3.8.3) will allow fish to safely disperse from the sound source before peak energy is reached, preventing physical injury. Given the short-term nature of the maritime activities, coupled with the mitigation measures, the proposed Material Amendment does not have the potential to give rise to a significant effect on, or adversely affect the integrity

⁸ <https://www.aquaticmammalsjournal.org/article/vol-45-iss-2-southall/>

of, any European site, in view of the sites' conservation objectives as a result of underwater noise.

3.8.1.4 Visual and above water noise disturbance

The MARA AA Screening Report identified the potential for survey activities generating noise, vibration and increased human presence or vessel activity to be at an intensity and duration that would cause significant disturbance to otter and bird populations.

Temporary disturbance to foraging adult otters would be unlikely to give rise to a significant adverse effect as individuals are likely to simply move on to adjacent undisturbed foraging habitat if they were present when a noise producing activity commenced. As the species is largely nocturnal, daytime disturbance to foraging otter is unlikely to occur as a result of the proposed works. Disturbance to this species is more critical where it arises in close proximity to otters with young, particularly disturbance to natal holts or dens, where young are being raised. It is noted that the proposed Material Amendment activities are short term, temporary and are situated in marine habitat in proximity to areas which are subject to relatively high levels of human disturbance associated with the ongoing operation of Shannon Foynes and Limerick Ports and recreational boating. These areas are therefore well away from any potential otter natal holts or dens, which are typically situated within terrestrial habitats well inland of the shore.

Regarding birds, the River Shannon and River Fergus Estuaries SPA is designated for a number of wader and waterbird species. The proposed Material Amendment activities could generate noise, vibration and increased human presence or vessel activity which could disturb these birds resulting in potential abandonment of foraging habitats, particularly during the winter period. However, it is noted that the proposed Material Amendment activities are short term, temporary and are situated in marine habitat in proximity to areas which are subject to relatively high levels of human disturbance. Any birds in the vicinity would likely be habituated to the levels of disturbance that prevail in the area, and if disturbed, would easily relocate to suitable nearby areas.

Thus, on the basis of the objective information provided, it is concluded that survey activities generating noise, vibration and increased human presence or vessel activity associated with the proposed Material Amendment do not have the potential to give rise to a significant effect on, or adversely affect the integrity of, any European site, in view of the sites' conservation objectives.

3.8.2 Assessment of In-combination effects

The potential impacts of the proposed Material Amendment must be considered individually and also in combination with other plans or projects. All types of plans or projects that could, in-combination with this application, have a significant effect, have been considered. This in-combination assessment has been undertaken using professional and scientific judgement

and is assessed primarily in terms of potential spatial and temporal impacts. Table 4 below outlines the potential sources of impact that could act in-combination with the proposed Material Amendment.

The spatial scope of the in-combination assessment is the proposed Material Amendment area and a 3km buffer zone around it. This is based on the fact that the applicant has proposed to carry out geophysical surveys throughout the extent of the proposed Material Amendment area and adding a 3km buffer to include the JNCC Effective Deterrent Range⁹ (EDR) for assessing the significance of noise disturbance from Sub Bottom Profilers on Harbour porpoise¹⁰, which has a known sensitivity to underwater noise. The temporal scope of the in-combination assessment is the duration of the MUL which expires on 14 October 2031.

Table 4 - Potential sources of impact that could act in-combination with the proposed Material Amendment

Impact	Potential Cumulative Pathway
Physical disturbance and habitat loss	Possible temporal impacts on habitats in terms of physical disturbance due to proposed MUL activities. Potential for habitat loss to reef habitats
Increase in sedimentation	An increase in suspended sediments from survey activities could impact on migratory fish species, or the prey species of birds and marine mammals
Disturbance from underwater noise	Potential for sound sources from survey activities to be at a level and duration that would cause a significant negative impact on marine mammals and migratory fish
Visual and above water noise disturbance	Potential for survey activities generating noise, vibration and increased human presence or vessel activity to be at an intensity and duration that would cause significant disturbance to bird populations and otter.

Prediction:

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

⁹ A fixed radius used to estimate the area around an impulsive noise event from which harbour porpoises are disturbed/deterred.

¹⁰ [JNCC Report 803. Updated Effective Deterrent Ranges \(EDRs\) for assessing the significance of noise disturbance in harbour porpoise Special Areas of Conservation \(SACs\) \(England, Wales & Northern Ireland\)](#)

Underwater noise disturbance, displacement or harm (PTS or auditory injury) from survey activities

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

Identification of Plans or Projects that could act in combination

A search was carried out on 10/09/2026 of relevant databases (including EPA, An Coimisiún Pleanála, Foreshore Unit, MARA, planning authorities) for other plans and projects with characteristics that may cause in-combination effects with the proposed Material Amendment on the QIs of the European sites identified in Appendix 1. Table 5 below outlines those activities which are considered to have the potential to act in-combination with the proposed Material Amendment.

Table 5: List of projects which were considered to have potential in-combination impacts on European sites

Application Ref.	Project description	Distance from proposed MUL area (km)	Project Status
LIC230014	MUL for site investigation to inform development of deep-water terminal development on Foynes island	<1	Granted
MUL250010	Gas Networks Ireland – site investigations	Overlap	Granted
MUL240034	Gas Networks Ireland – marine environmental surveys	Overlap	Granted
LIC230004	Aughinish Alumina Ltd. – Maintenance dredging	<1	Granted
FS006975	Shannon Foynes Port Company – Maintenance Dredging	<1	Granted
Planning Permission application 18301561	Shannon Foynes Port Company – Port capacity extension	<1	Granted

Planning Permission Application 2660559	Uisce Éireann – planning permission for development of a sewerage scheme including new marine outfall with extension to an existing outfall pipe at Colleen Point	<1	Applied
Dumping at Sea S0009-03	Shannon Foynes Port Company Dumping at Sea Permit	<1	Permitted
Dumping at Sea S0026-02	Aughinish Alumina Ltd. Dumping at Sea Permit	<1	Permitted
An Coimisiún Pleanála planning application PA91.312146 and 318302	Aughinish Alumina Bauxite Extension	<3	Applied

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

- The Climate Action Plan 2025.
- The Water Action Plan 2024
- National Biodiversity Action Plan (2023-2027)
- Limerick County Development Plan (2022-2028)
- Clare County Development Plan (2023-2029)
- Strategic Integrated Framework Plan for the Shannon Estuary (2013-2020)

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 identified European sites.

In-Combination Effects Assessment conclusion

It is not possible to exclude the possibility of likely significant in-combination effects on the conservation objectives of the European sites considered in this assessment as a result of this proposed Material Amendment and the projects identified in Table 5. Therefore, mitigation is required as a licence condition to avoid such in-combination effects as set out in Section 3.8.3.

3.8.3 Mitigation measures

Annex I Reef habitat

- 1) The Holder shall time the Permitted Maritime Usage to ensure that geophysical surveys are undertaken in advance of all geotechnical works to ensure potential significant effects on reef habitats are avoided.
- 2) No geotechnical activities shall take place in Annex I habitat Reefs (1170) within the Lower River Shannon SAC.

Prior to the commencement of the geotechnical activities within the Lower River Shannon SAC, a drop-down video shall be deployed, and imagery shall be recorded and retained in accordance with Condition 34 at each sampling location to ensure reef habitat is avoided in the course of such geotechnical activities.

All geotechnical activities shall be undertaken under the direct supervision of a suitably qualified person or persons with appropriate geotechnical and/or benthic ecology experience in identifying Annex 1 Reefs (1170) habitat, who shall be present on the survey vessel/drill rig during geotechnical activities and who shall be empowered to halt such activities where necessary to protect Annex 1 Reefs (1170) habitat.

Increase in sedimentation

The Holder shall take all practicable efforts to ensure that any arisings from boring and drilling activities are collected and are stored and disposed of in accordance with the relevant National and European waste legislation and protocols as may be amended from time to time.

Underwater noise

The most up to date national underwater noise guidance for marine mammals must be adhered to for all geophysical activities, including the relevant monitored zones for the particular geophysical surveys being undertaken.

Marine Mammals

- i. The Holder shall appoint a marine mammal observer(s) for the purposes of overseeing the Permitted Material Amendment. 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 completion of the Permitted Material Amendment, 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 Material Amendment, unless otherwise agreed with the Grantor.

In-combination mitigation

- i. Prior to the commencement of the Permitted Maritime Usage, the Holder shall coordinate with other authorisation holders carrying out geophysical, and geotechnical activities within a 6 km radius of the Licensed Area.
- ii. Where a vessel-to-vessel distance of greater than 6 km cannot be maintained, 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 6 km, 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.

3.8.4 Residual effects

This assessment has identified likely/potential significant impacts on European Sites and their conservation interests in Section 3.8 and recommends measures to mitigate against any potential significant effects arising as a result of the proposed Material Amendment. It is considered that the mitigation measures described and their implementation through licence conditions will remove, or reduce to imperceptible levels, all negative impacts such that residual effects will not arise.

3.8.5 Assessment of Transboundary effects

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

3.8.6 Appropriate assessment conclusion

The appropriate assessment screening process identified likely/potential significant impacts due to physical disturbance and habitat loss, increase in sedimentation, disturbance from underwater noise and visual and above water noise disturbance. Likely significant impacts

from the proposed Material Amendment could not be ruled out, beyond reasonable scientific doubt, without mitigation. The potential for significant in-combination effects from the proposed Material Amendment with other plans and projects could be ruled out, beyond reasonable scientific doubt.

Mitigation measures were identified to ensure that impacts on European sites and their QIs and SCIs do not occur. Therefore, with adherence to the mitigation measures specified in Section 3.8.3 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.

The appropriate assessment determination is included in Section 9.

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. The Shannon Estuary supports a high level of commercial and recreational use across both intertidal and maritime areas. Vessel traffic is significant, comprising cargo vessels, tankers and recreational boating activity. The presence of survey vessels and a jack-up barge is not expected to adversely affect recreational sailing, fishing, or beach use. The MUL has a condition requiring the issuance of a Marine Notice during vessel-based operations to inform other maritime users.

Recreational and commercial fishing, including angling, oyster farming, boating (including dolphin-watching), and shooting, also occur within the wider estuary. The MUL has a condition requiring the Holder to avoid damage to, or interference with, third-party property, infrastructure, or fishing gear during the permitted maritime usage.

5. Site visit

A site visit was undertaken on 12/05/2025 to view Areas C and D as proposed under the Material Amendment application. A representative from Shannon Foynes Port Company (SFPC) met with MARA staff onsite. The representative outlined the works that have already taken place under the Permitted Maritime Usage and provided an overview of the proposed Material Amendment areas and activities. The representative accompanied MARA staff on a SFPC vessel to view the proposed Material Amendment area from the water.

6. Public body consultation

Observations on the Material Amendment application were invited from relevant public bodies to ensure that MARA takes account of all other relevant maritime users and interests in the Material Amendment area. Six responses were received. The following tables summarise the observations from public bodies with a response given below each submission summary. The MARA website should be consulted to view the full details of the observations received.

1. Observations summary – Marine Survey Office (MSO)

A submission was received on 13/11/2025 from the MSO, which states that they have no objection to the proposed Material Amendment from a navigational safety perspective.

The MSO recommended conditions to be applied to the licence if granted, which relate to:

1. Navigational safety
2. The requirement for a marine notice to be issued
3. The requirement for *Navtex* and radio broadcast warnings
4. The need to liaise with the MSO and Commissioner for Irish Lights (CIL) regarding the marking and lighting of any moored instruments
5. The need for vessels to be suitably certified
6. The particulars of information to be provided to the UK Hydrographic Office (UKHO) and INFOMAR

MARA Response:

MARA notes the observations of the MSO. Conditions have been included in the MUL in respect of the requirement to publish marine notices, the need for vessels to conform with the requirements of Irish certification standards, to not damage or interfere with any third party's property while carrying out the Permitted Maritime Usage and the need to provide information to the UKHO and INFOMAR. The MUL contains a condition requiring bathymetry data to be submitted to the UKHO. It is recommended to update this condition so that this data is also submitted to the INFOMAR program.

2. Observations summary – Department of Agriculture, Food and the Marine (DAFM)

Submissions were received on 28/11/2025 from DAFM, which along with its own comments, summarises comments and observations from the Marine Institute. These are made in more detail in the Marine Institute's separate submission and are considered under the relevant separate headings in this section of the report.

In their submission, DAFM note:

- The sea-fishing and aquaculture sectors should be fully recognised and given a high priority as a long-standing, pre-existing, and traditional activity in the marine environment within the context of the assessment of the proposed Material Amendment.
- Vessel Monitoring Systems (VMS) data regarding fishing in, and around, the licence application area may be limited as many of the vessels in the inshore fishing segment (less than 12 metres in length) are not currently required to carry VMS on board.
- The evaluation of potential impacts of the proposed Material Amendment on commercial sea fishing activities needs to be given consideration within the context

of the requirements set out under the Maritime Area Planning Act and the National Marine Planning Framework (NMPF).

MARA response:

MARA notes the observations of DAFM. The potential impacts of the proposed Material Amendment on fish and fisheries have been assessed in Sections 3.6 and 4 of this report. Conditions have been included in the MUL in respect of the requirement to publish marine notices and to not damage or interfere with any third party's property while carrying out the Permitted Maritime Usage.

3. Observations summary – Marine Institute (MI)

A submission was received on 07/11/2025 from the MI, noting that the proposed survey operations are temporary, spatially limited and are not expected to substantially interfere with fish stocks, fishing activities, or aquaculture operations in the area.

MARA response:

MARA notes the observations of the MI.

4. Observations summary – Dept. Housing, Local Government and Heritage (DHLGH)

A submission was received on 28/11/2025 from the Development Applications Unit (DAU) of DHLGH incorporating observations on nature conservation from the National Parks and Wildlife Service (NPWS) and on underwater cultural heritage from the National Monuments Service (NMS).

Regarding nature conservation, NPWS notes that the proposed works are temporary, small-scale, and reversible, and no permanent structures are proposed. NPWS is satisfied that the proposed Material Amendment will not adversely affect the integrity of the Lower River Shannon SAC or the River Shannon and River Fergus Estuaries SPA, alone or in combination with other plans or projects, in view of their conservation objectives, subject to the full and effective implementation of the mitigation measures outlined within the applicants Natura Impact Statement.

Regarding underwater cultural heritage, the NMS provides recommendations and a number of suggested conditions in relation to underwater archaeology to be applied to the proposed Material Amendment, if granted.

MARA response:

MARA notes the content of the submission from the DAU of DHLGH in relation to nature conservation and underwater cultural heritage. Regarding nature conservation, this

assessment has identified likely/potential significant impacts on European Sites and their conservation interests in Section 3.8 and recommends measures to mitigate against any potential significant effects arising as a result of the proposed Material Amendment.

Regarding underwater cultural heritage, a condition has been included in the MUL 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 Permitted Maritime Usage.

5. Observations summary – Geological Survey Ireland (GSI)

A submission was received on 12/11/2025 from GSI recommend the use of their various data sets when conducting the EIAR, SEA, planning and scoping processes for any developments, plans and policies.

MARA response:

MARA notes the comments from GSI, however the proposed Material Amendment is for Schedule 7(3) site investigations only, and EIAR, SEA and planning are not applicable.

6. Observations summary – Commissioners of Irish Lights (CIL)

A submission was received on 19/11/2025 from CIL stating they have no objection to the granting of a licence for the proposed Material Amendment from a safety of navigation perspective. The CIL notes that should any requirement arise for marine aids to navigation; such aids will require a Statutory Consent from Irish Lights under the Merchant Shipping Act. Furthermore, their submission notes the need to include the impact of the deployment of any surface marking buoys and associated moorings, which may be required, be included in any appropriate assessment of the proposed Material Amendment.

MARAs response:

MARA notes the submission of CIL. It should be noted that the CIL is responsible for issuing Statutory Consents in relation to aids to navigation. 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. All aspects of the proposed application submitted to MARA have been considered as part of the AA Report and Determination.

7. Public Consultation

A public consultation was undertaken between 30/07/2026 and 30/08/2026, under Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 and under section 117(6)(b) of the MAP Act. One submission was received. The following table summarises the submission, with a response given below this submission summary. The MARA website should be consulted to view the full details of the submission received.

1. Submission summary – Augustus Cullen Law LLP Solicitors

A submission was received dated 28/08/2026 from Augustus Cullen Law LLP Solicitors, on behalf of their client, a member of the public who is the owner of lands on Foynes Island, Co. Limerick.

The submission raises a procedural objection in respect of the application, stating that, since the public consultation period ended on 30/08/2026, a Sunday, it was not possible for a member of the public, including their client, to lodge a postal submission within the full requisite statutory period.

The submission makes certain substantive objections, which may be summarised as follows:

1. The proposed maritime usage is in support of the proposed Foynes Island Deepwater Development, for which an application for consent from the relevant planning authority has not yet been made. The submission contends that it is “*premature and unwarranted*” for the applicant to carry out investigation works for a scheme that may or may not proceed, and that their client has made submissions to An Coimisiún Pleanála in this regard.
2. There was a lack of consideration of alternatives as the depths of boreholes proposed as part of the Material Amendment application are deeper than those conducted under the current Licence and that the proposed maritime usage has the potential to be disruptive to their client’s enjoyment of their lands.
3. Failure by the applicant to consider additional risks and mitigation in respect of the addition of two new areas and the use of additional equipment and vessels under the proposed Material Amendment application.

MARA Response:

MARA notes the issues raised by Augustus Cullen Law LLP Solicitors, on behalf of their client, and has given due consideration and regard to those matters. The following are MARA’s responses to the main points raised in the said submission:

Procedural objection

Where an appropriate assessment is required in respect of an application for a maritime usage licence (or amendment thereof), Section 117(6) of the MAP Act sets out the requirements of the applicant in relation to giving notice to the public, such that submissions in writing on the licence application and the NIS may be made to MARA for a period of not less than 30 days from the date of publication of the relevant notice. The onus is on any member of the public wishing to make a submission to ensure that their submission is

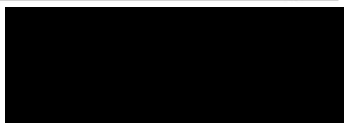
received by MARA within the prescribed timeframe outlined in the applicant's notice to the public. It should be noted that MARA provides a facility to make a submission electronically at any time during this period, up to and including the final date for receipt of submissions.

Substantive objection

- 1) The MUL (LIC230014) granted was for marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000, under Schedule 7(3) of the MAP Act. The purpose of the original application made to MARA was for site investigations to support the planning and preliminary engineering design of the Foynes Deep Water Berth Development on Foynes Island and an access bridge from Foynes Port to the south-east corner of Foynes Island. The applicant has applied to MARA for a Material Amendment to the said MUL, in accordance with Section 125 of the MAP Act. The Material Amendment application is for further geophysical and geotechnical surveys in two additional areas to further support the planning and preliminary engineering design of the Foynes Deep Water Berth Development on Foynes Island and improvements to the facilities at Foynes Yacht Club. The proposed activities are to inform the planning and design of the proposed development and are not associated with the construction of the proposed development itself. Any submissions made by Augustus Cullen Law LLP Solicitors, or their client, to An Coimisiún Pleanála in respect of the proposed works are part of a wider planning process and are beyond the scope of this application.
- 2) Regarding borehole depths, the Assessments of Impacts of the Maritime Usage Report ("AIMU") submitted in support of LIC230024 stated that the boreholes would be 30-45m deep. Furthermore, Section 2.2 of the Material Amendment application form states that the boreholes proposed under the Material Amendment will also be 30-45m deep. It should also be noted that Condition 21 of the MUL states: *"The Permitted Maritime Usage shall be carried out in accordance with the plans and particulars submitted in support of the application for this Licence."*
- 3) Regarding additional equipment and vessels, the Material Amendment does not propose to use any novel equipment compared to the MUL. In assessing this MUL application, MARA has had regard to the criteria specified in the MAP Act. The activities and additional areas proposed under this Material Amendment application have been subject to a full assessment in this report. Additionally, regard has been had to the assessments carried out in relation to the granting of LIC230014. Mitigation included as conditions in the MUL will apply to any activities proposed under the Material Amendment and such conditions have been reviewed and updated accordingly, where required.

8. Recommendation

Having considered the information submitted in support of the application, and the criteria specified in the Maritime Area Planning Act 2021, as amended, I recommend that the application for a Material Amendment (LIC230014MA) to LIC230014, be granted, in accordance with Section 119, to Shannon Foynes Port Company, Mill House, Foynes, Co. Limerick, V94 R232, for the purposes of *Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000*, subject to the conditions in the Proposed Materially Amended Licence.

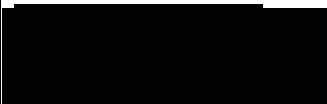
Signed:	
Prepared by:	Ross Fitzgerald Marine Analyst
Date:	24/09/2026

9. Appropriate Assessment Determination

Having considered:

- the Material Amendment information submitted by the applicant;
- the observations received further to public body consultation;
- the submission received further to public consultation; and
- this *Maritime Usage Licence Material Amendment Assessment Report*;

together with my own assessment, it can be concluded, and I determine, for the purposes of Article 6(3) of the Habitats Directive (92/43/EEC) and Regulation 42(11) of the European Communities (Birds and Natural Habitats Regulations) 2011 that the proposed Material Amendment (LIC120014MA) to LIC230014 (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 the foregoing Section 3.8 – Appropriate Assessment. These mitigation measures must be incorporated into any consent that may be granted in respect of the respective Material Amendment application.

Signed:	
Approved and determined by:	John Evans Director of Maritime Usage Licensing and Planning Advisory
Date:	28/09/2026

10. Appendix 1

European sites and qualifying interests which were screened in for appropriate assessment along with potential source of impact and site-specific conservation objectives.

European site & site code	Distance from proposed Material Amendment area (km)	List of Qualifying Interests	Connections (Source-pathway-receptor)	Site-specific conservation objectives
Lower River Shannon SAC [002165]	Within SAC boundary	Estuaries [1130] Reefs [1170] <i>Petromyzon marinus</i> (Sea Lamprey) [1095] <i>Lampetra planeri</i> (Brook Lamprey) [1096] <i>Lampetra fluviatilis</i> (River Lamprey) [1099] <i>Salmo salar</i> (Salmon) [1106] <i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349] <i>Lutra lutra</i> (Otter) [1355]	Yes – possible physical disturbance and habitat loss Yes – possible increased suspended sediment concentration from geotechnical surveys, possible disturbance from underwater noise Yes - possible disturbance from underwater noise Yes – possible visual and above water noise disturbance	NPWS (2012) Conservation Objectives: Lower River Shannon SAC [002165]. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

Blasket Islands SAC [002172]	100-150km	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351] <i>Halichoerus grypus</i> (Grey Seal) [1364]	Yes – possible disturbance from underwater noise	NPWS (2014) Conservation Objectives: Blasket Islands SAC [002172]. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Slyne Head Islands SAC [000328]	100-150km	<i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349] <i>Halichoerus grypus</i> (Grey Seal) [1364]	Yes – possible disturbance from underwater noise	NPWS (2024) Conservation Objectives: Slyne Head Islands SAC [000328]. Version 2.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Slyne Head Peninsula SAC [002074]	100-150km	<i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349]	Yes – possible disturbance from underwater noise	NPWS (2015) Conservation Objectives: Slyne Head Peninsula SAC [002074]. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
West Connacht Coast SAC [002998]	150-200km	<i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349] <i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Yes – possible disturbance from underwater noise	NPWS (2025) Conservation Objectives: West Connacht Coast SAC [002998]. Version 2.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

Duvillaun Islands SAC [000495]	200-250 km	<i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349]	Yes – possible disturbance from underwater noise	NPWS (2024) Conservation Objectives: Duvillaun Islands SAC [000495]. Version 2.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Kenmare River SAC [002158]		<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Yes – possible disturbance from underwater noise	NPWS (2026) Conservation Objectives: Kenmare River SAC [002158]. Version 2.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Roaringwater Bay and Islands SAC [000101]		<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Yes – possible disturbance from underwater noise	NPWS (2011) Conservation Objectives: Roaringwater Bay and Islands SAC [000101]. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
River Shannon and River Foynes Estuaries SPA [004077]		Cormorant (<i>Phalacrocorax carbo</i>) [A017] Whooper Swan (<i>Cygnus cygnus</i>) [A038] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Wigeon (<i>Anas penelope</i>) [A050] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054]	Yes - possible visual & above water noise disturbance	NPWS (2012) Conservation Objectives: River Shannon and River Foynes Estuaries SPA [004077]. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

		Shoveler (<i>Anas clypeata</i>) [A056] Scaup (<i>Aythya marila</i>) [A062] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Lapwing (<i>Vanellus vanellus</i>) [A142] Knot (<i>Calidris canutus</i>) [A143] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Greenshank (<i>Tringa nebularia</i>) [A164] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Wetland and Waterbirds [A999]		
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