

Assessment, Research and Data Unit Appropriate Assessment Report and Determination for Maritime Usage Licence Application			
To:	John Evans, Director of Assessment, Research and Data		
From:	Suzanne Wylde, Senior Marine Advisor		
Date of Report:	20 th January 2026	Maritime Usage Licence Application No:	MUL230034
Applicant:	Codling Wind Park Limited (CWPL)		
Licence application received:	30 th May 2024		
Type of maritime usage in accordance with Schedule 7 of the Maritime Area Planning Act, 2021 (as amended):	3. Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000.		
Location of proposed Maritime Usage:	The Irish Sea off the coast of counties Dublin and Wicklow. The proposed licence area also includes two smaller areas for a potential operation and maintenance base (Wicklow Harbour) and an area for a potential onshore substation (northern shore of Poolbeg Peninsula, Dublin).		
Request for additional information:	19 th June 2024; 9 th September 2024; 24 th October 2024; 7 th March 2025; 6 th May 2025; 3 rd October 2025		
Responses to requests for additional information received:	20 th June 2024; 3 rd October 2024; 6 th November 2024; 14 th March 2025; 2 nd October 2025; 22 nd October 2025		
Stage 2 Appropriate Assessment required:	Yes	Natura Impact Statement received:	2 nd October 2025
Dates of Public Consultation:	19 th November 2025 – 22 nd December 2025 (Six submissions received)		

Contents

Statement of Authority 3

1 Introduction 3

1.1 Background..... 3

1.2 Legislative Context 3

1.3 Screening for Appropriate Assessment..... 3

2 Location and Proposed Maritime Usage 3

2.1 Description of the Proposed Maritime Usage Activity 3

2.2 Location 4

3 European Sites and Qualifying Interests..... 4

3.1 Identification of European sites likely to be affected 4

3.2 Description of the Qualifying Interests and Special Conservation Interests affected 6

4 Assessment and Mitigation 14

4.1 Assessment of Likely/Possible Significant Impacts on European Sites 14

4.2 Assessment of In-combination effects..... 16

4.3 Residual Effects 19

4.4 Assessment of Transboundary effects 19

4.5 Consultation 19

4.6 Mitigation Measures 20

5 Appropriate Assessment Conclusion 22

6 Appropriate Assessment Determination 22

Statement of Authority

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

1 Introduction

1.1 Background

Codling Wind Park Ltd. has applied to MARA for a maritime usage licence under Schedule 7(3) of the MAP Act to carry out Marine environmental surveys.

1.2 Legislative Context

Part 5, Section 117 of the MAP Act sets out the requirements for MARA to undertake appropriate assessment in respect of a MUL application. The EU Habitats Directive (Council 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 requirements for screening for appropriate assessment and for undertaking appropriate assessment are set out in Regulation 42 of the Regulations. Where appropriate assessment is required to be undertaken on a MUL application, a minimum 30-day public consultation period is required on the application and the Natura Impact Statement (NIS) under Section 117 of the MAP Act and in line with Regulation 42 of the Regulations.

1.3 Screening for Appropriate Assessment

MARA completed a screening for appropriate assessment and issued an appropriate assessment screening determination on 6th May 2025. The determination stated that the proposal by Codling Wind Park Ltd to undertake marine environmental surveys for the purposes of site investigation requires an appropriate assessment, as it cannot be excluded, on the basis of objective scientific information, following screening, that the proposed activities, individually or in combination with other plans or projects, will have a significant effect on a European Site. The applicant submitted an NIS on 2nd October 2025, on foot of the Appropriate Assessment screening determination.

2 Location and Proposed Maritime Usage

2.1 Description of the Proposed Maritime Usage Activity

The purpose of the proposed maritime usage is data gathering. The site investigations (the proposed maritime usage) are required to better understand the seabed characteristics and geotechnical make up across the offshore site.

The applicant submitted details of their proposed marine environmental surveys as part of their application. These surveys are summarised in Table 1 below. The applicant has applied for a licence term of five years. However, the requested duration has been assessed in the MUL Assessment Report and it is recommended in the MUL that a licence be granted for a period of three (3) years.

Appropriate Assessment and Determination Report

Table 1: Proposed marine environmental surveys and the estimated duration.

Proposed activity	Estimated duration
Metocean Surveys – floating LiDAR, wave buoys or metocean buoys and acoustic Doppler current profilers	12 – 36 months (fixed in location)
Geotechnical surveys – boreholes, cone penetration tests, vibrocores and trial pits	2 – 8 months (multiple times – max 3 days per survey)
Geophysical and unexploded ordnance surveys – side scan sonar, multibeam echo-sounder, magnetometers, sub-bottom profiler, high resolution acoustic seismic surveys (e.g. sparkers).	4 – 6 months (multiple times – 10-90 days each)
Fish and shellfish surveys – potting and trawl surveys	2 months (May – September)
Benthic and intertidal surveys – grab samples and ecological intertidal walkover survey and epi-benthic trawls	3 - 6 weeks
Marine Mammal passive acoustic monitoring	12 -36 months (fixed)
Intertidal archaeology walkover survey	Periodically once a year for the 5 years

2.2 Location

It is proposed to undertake surveys primarily in the Irish Sea off the coasts of County Wicklow and Dublin (Area A). It is also proposed to undertake marine environmental surveys to inform the feasibility of a potential onshore substation at Poolbeg, Dublin (Areas B & C) and an operation and maintenance base in Wicklow Harbour (Area D).

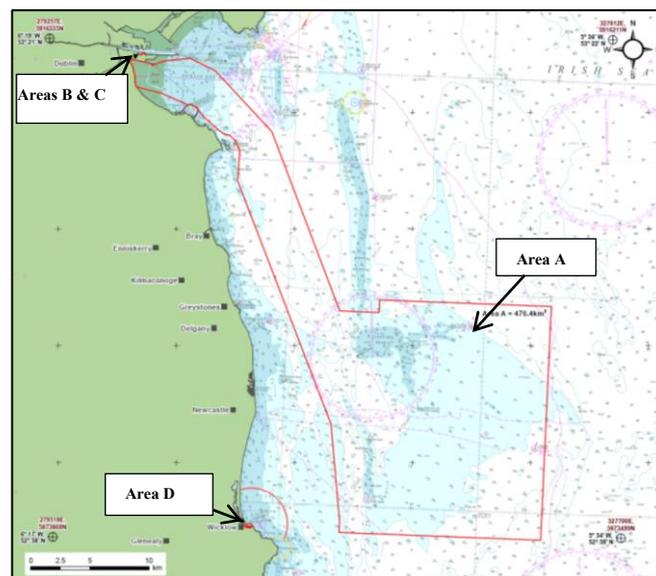


Figure 1: Map showing Areas A, B, C and D proposed Marine Usage Licence Areas.

3 European Sites and Qualifying Interests

3.1 Identification of European sites likely to be affected

The screening determination for Appropriate Assessment Report identified European sites which were considered to be within the Zone of Influence of the proposed maritime usage activity. These European sites, their Qualifying Interests, Special Conservation Interests and possible impact as a result of the proposed project are given in Table 3 below. The potential

source of impact identified at the screening stage and possible significance of those impacts on the Qualifying Interests (QIs) are summarised on Table 2.

Table 2: Potential direct and indirect impacts on the Qualifying Interests of European sites identified at screening stage and possible significance of those impacts.

Impacts	Possible significance of impacts
Disturbance from underwater noise.	Potential for survey activities to be at a level and duration that would cause a significant disturbance to birds and marine mammals.
Visual and above water noise disturbance.	Potential for survey activities generating noise from survey vessels, survey equipment and increased human presence to be at an intensity and duration that would cause significant disturbance to birds.
Physical disturbance and habitat loss.	Indirect impact of habitat degradation on species relying on the habitat for feeding and/or breeding.
Water quality deterioration from accidental incidents with survey vessels.	An increased risk of accidental spills from surveys vessels that could impact on water quality and designated species and habitats in the SACs and SPAs within the proposed MUL area.

3.2 Description of the Qualifying Interests and Special Conservation Interests affected

Table 3: Special Areas of Conservation, Special Protected Areas, qualifying interests and conservation objectives identified as requiring further assessment.

European Site	Distance from the Proposed MUL Area (km)	List of Qualifying Interests ¹	Potential source of impact	Site Conservation Objectives
Rockabill to Dalkey SAC (Site Code IE003000)	Within MUL area	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351] Reef [1170]	Possible disturbance from underwater noise; water quality deterioration from accidental incidents with survey vessels; possible physical disturbance to habitat and habitat loss	NPWS, 2013 Conservation Objectives: Rockabill to Dalkey Island SAC 003000. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht
South Dublin Bay SAC (Site Code IE000210)	Within MUL area	Mudflats and sandflats not covered by sea-water at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Embryonic shifting dunes [2110]	Possible water quality deterioration from accidental incidents with survey vessels	NPWS (2013) Conservation Objectives: South Dublin Bay SAC 000210. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Wicklow Reef (Site code IE002274)	0km	Reef [1170]	Possible physical disturbance to habitat and habitat loss	NPWS (2013) Conservation Objectives: Rockabill to Dalkey Island SAC 003000. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

¹ Only Qualifying Interest species that have been screened in for Stage 2 Appropriate Assessment have been listed.

Appropriate Assessment and Determination Report

European Site	Distance from the Proposed MUL Area (km)	List of Qualifying Interests ¹	Potential source of impact	Site Conservation Objectives
Codling Fault Zone SAC (Site code IE003015)	10 - 25km	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	NPWS (2025) Conservation Objectives: Codling Fault Zone SAC 003015. Version 2. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Lambay Island SAC (Site Code IE000204)	10 – 25km	<i>Halichoerus grypus</i> (Grey Seal) [1364] <i>Phoca vitulina</i> (Harbour Seal) [1365] <i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	NPWS (2024) Conservation Objectives: Lambay Island SAC 000204. Version 2. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Blackwater Bank SAC [Site code IE002953]	50 – 75km	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	NPWS (2024) Conservation Objectives: Blackwater Bank SAC 002953. Version 3. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Carnsore Point SAC [Site code IE002269]	75 – 100km	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	NPWS (2024) Conservation Objectives: Carnsore Point SAC 002269. Version 2. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

Appropriate Assessment and Determination Report

European Site	Distance from the Proposed MUL Area (km)	List of Qualifying Interests ¹	Potential source of impact	Site Conservation Objectives
Slaney River Valley SAC [Site code IE000781]	75 – 100km	<i>Phoca vitulina</i> (Harbour Seal) [1365]	Possible disturbance from underwater noise	NPWS (2011) Conservation Objectives: Slaney River Valley SAC 000781. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht
Hook Head SAC [Site code IE000764]	>100km	<i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349] <i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise	NPWS (2025) Conservation Objectives: Hook Head SAC 000764. Version 2. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
South Dublin Bay and River Tolka Estuary SPA (Site IE004024)	Within MUL area	Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Redshank (<i>Tringa totanus</i>) [A162] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194] Wetland and Waterbirds [A999]	Possible above and under water noise disturbance, visual disturbance, habitat disturbance; water quality deterioration from accidental incidents with survey vessels	NPWS (2015) Conservation Objectives: South Dublin Bay and River Tolka Estuary SPA 004024. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
The Murrough SPA (Site code: 004186)	Within MUL area	Red-throated Diver (<i>Gavia stellata</i>) [A001] Greylag Goose (<i>Anser anser</i>) [A043] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Wigeon (<i>Anas penelope</i>) [A050] Teal (<i>Anas crecca</i>) [A052]	Possible above and under water noise disturbance, visual disturbance; water quality deterioration from	NPWS (2024) Conservation Objectives: The Murrough SPA 004186. Version 1. National Parks and Wildlife Service, Department of

Appropriate Assessment and Determination Report

European Site	Distance from the Proposed MUL Area (km)	List of Qualifying Interests ¹	Potential source of impact	Site Conservation Objectives
		Little Tern (<i>Sterna albifrons</i>) [A195] Wetland and Waterbirds [A999] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Herring Gull (<i>Larus argentatus</i>) [A184]	accidental incidents with survey vessels	Housing, Local Government and Heritage.
North Bull Island SPA (Site Code IE004006)	<10km	Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054] Shoveler (<i>Anas clypeata</i>) [A056] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] 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] Turnstone (<i>Arenaria interpres</i>) [A169] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Wetland and Waterbirds [A999]	Possible above and under water noise disturbance, visual disturbance	NPWS (2015) Conservation Objectives: North Bull Island SPA 004006. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Dalkey Islands SPA (Site Code IE004172)	<1km	Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194]	Possible disturbance from above and under water noise, visual disturbance	NPWS (2024) Conservation Objectives: Dalkey Islands SPA 004172. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

Appropriate Assessment and Determination Report

European Site	Distance from the Proposed MUL Area (km)	List of Qualifying Interests ¹	Potential source of impact	Site Conservation Objectives
North-West Irish Sea SPA (Site Code IE004236)	<10km	Red-throated Diver (<i>Gavia stellata</i>) [A001] Great Northern Diver (<i>Gavia immer</i>) [A003] Fulmar (<i>Fulmarus glacialis</i>) [A009] Manx Shearwater (<i>Puffinus puffinus</i>) [A013] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Shag (<i>Phalacrocorax aristotelis</i>) [A018] Common Scoter (<i>Melanitta nigra</i>) [A065] Little Gull (<i>Larus minutus</i>) [A177] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] Herring Gull (<i>Larus argentatus</i>) [A184] Great Black-backed Gull (<i>Larus marinus</i>) [A187] Kittiwake (<i>Rissa tridactyla</i>) [A188] Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194] Little Tern (<i>Sterna albifrons</i>) [A195] Guillemot (<i>Uria aalge</i>) [A199] Razorbill (<i>Alca torda</i>) [A200] Puffin (<i>Fratercula arctica</i>) [A204]	Possible above and under water noise disturbance, visual disturbance	NPWS (2023) Conservation Objectives: North-west Irish Sea SPA 004236. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Howth Head Coast SPA (Site Code IE004113)	<10km	Kittiwake (<i>Rissa tridactyla</i>) [A188]	Possible disturbance from above and under water noise, visual disturbance	NPWS (2024) Conservation Objectives: Howth Head Coast SPA 004113. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage
Ireland's Eye SPA (Site Code IE004117)	<10km	Herring Gull (<i>Larus argentatus</i>) [A184] Kittiwake (<i>Rissa tridactyla</i>) [A188] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Guillemot (<i>Uria aalge</i>) [A199] Razorbill (<i>Alca torda</i>) [A200]	Possible disturbance from above and under water noise, visual disturbance	NPWS (2024) Conservation Objectives: Ireland's Eye SPA 004117. Version 1. National Parks and Wildlife Service, Department of Housing,

Appropriate Assessment and Determination Report

European Site	Distance from the Proposed MUL Area (km)	List of Qualifying Interests ¹	Potential source of impact	Site Conservation Objectives
				Local Government and Heritage
Baldoyle Bay SPA (Site Code IE004016)	<10km	Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Wetland and Waterbirds [A999]	Possible from visual and above water noise	NPWS (2013) Conservation Objectives: Baldoyle Bay SPA 004016. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Lambay Island SPA (Site Code IE004069)	10 – 25km	Fulmar (<i>Fulmarus glacialis</i>) [A009] Herring Gull (<i>Larus argentatus</i>) [A184] Kittiwake (<i>Rissa tridactyla</i>) [A188] Guillemot (<i>Uria aalge</i>) [A199] Razorbill (<i>Alca torda</i>) [A200] Puffin (<i>Fratercula arctica</i>) [A204]	Possible disturbance from above and under water noise, visual disturbance	NPWS (2024) Conservation Objectives: Lambay Island SPA 004069. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Rockabill SPA (Site code:IE004014)	25 – 50km	Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194]	Possible visual and above water noise disturbance	NPWS (2013) Conservation Objectives: Rockabill SPA 004014. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Skerries Islands SPA (Site code: IE004122)	25 – 50km	Herring Gull (<i>Larus argentatus</i>) [A184]	Possible visual and above water noise disturbance	NPWS (2024) Conservation Objectives: Skerries Islands SPA 004122. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

Appropriate Assessment and Determination Report

European Site	Distance from the Proposed MUL Area (km)	List of Qualifying Interests ¹	Potential source of impact	Site Conservation Objectives
River Nanny Estuary and Shore SPA (Site code: IE004158)	25 – 50km	Herring Gull (<i>Larus argentatus</i>) [A184]	Possible visual and above water noise disturbance	NPWS (2012) Conservation Objectives: River Nanny Estuary and Shore SPA 004158. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Wickow Head SPA (Site code: IE004127)	<10km	Kittiwake (<i>Rissa tridactyla</i>) [A188]	Possible visual and above water noise disturbance	NPWS (2024) Conservation Objectives: Wicklow Head SPA 004127. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Wexford Harbour and Slob SPA (Site code: IE0004076)	50 - 75km	Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]	Possible underwater noise disturbance, visual disturbance	NPWS (2012) Conservation Objectives: Wexford Harbour and Slob SPA 004076. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht
Seas off Wexford SPA (site code IE0004237)	25-50km	Puffin (<i>Fratercula arctica</i>) [A204] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] Herring Gull (<i>Larus argentatus</i>) [A184] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] Herring Gull (<i>Larus argentatus</i>) [A184] Gannet (<i>Morus bassanus</i>) [A016] Fulmar (<i>Fulmarus glacialis</i>) [A009]	Possible above and under water noise disturbance, visual disturbance	NPWS (2024) Conservation Objectives: Seas off Wexford SPA 004237. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

Appropriate Assessment and Determination Report

European Site	Distance from the Proposed MUL Area (km)	List of Qualifying Interests ¹	Potential source of impact	Site Conservation Objectives
Dundalk Bay SPA (Site code: 004026)	50 - 75km	Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182] Herring Gull (<i>Larus argentatus</i>) [A184]	Possible visual and above water noise disturbance	NPWS (2011) Conservation Objectives: Dundalk Bay SPA 004026. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht

4 Assessment and Mitigation

4.1 Assessment of Likely/Possible Significant Impacts on European Sites

The impacts that have been identified that have the potential to cause significant impacts on European sites and their designated species are above and underwater noise disturbance, visual disturbance, water quality deterioration from accidental incidents with survey vessels, and possible physical disturbance to habitat and habitat loss. Any mitigation measures recommended on foot of the assessment in this section are included in Section 4.6 *Mitigation Measures*.

4.1.1 Disturbance from underwater noise

A number of European sites were screened in due to the potential for disturbance from underwater noise on harbour porpoise, common bottlenose dolphin, harbour seal, grey seal and marine birds. Of these European sites, Rockabill to Dalkey Island SAC, South Dublin Bay and River Tolka Estuary SPA and The Murrough SPA all overlap with the proposed licence area. However, it is likely that these marine mammals and birds as qualifying interest species from European sites not overlapping with the proposed licence areas, could forage within the Proposed licence areas and may also be indirectly impacted.

Marine mammals depend on sound for a wide range of functions including navigation, perception of their environment, communication, prey identification and capture, and the detection of predators. The production of underwater noise from the proposed geotechnical and geophysical surveys could impact on these functions by inducing permanent or temporary reactions at close range or disturbance at further distances from the noise source. The possibility of impact on marine mammals as a result of underwater acoustics generated by the geotechnical and geophysical surveys, cannot be excluded. Therefore, it is recommended that suitable mitigation measures in relation to the provision of marine mammal observers on board vessels be included in the Maritime Usage Licence for all geotechnical and geophysical surveys, where granted. This will minimise adverse impacts on marine mammals and avoid impacting their populations from the European sites identified above.

Diving birds such as Great Northern Diver, Manx Shearwater, Cormorant and Shag can be sensitive to disturbance from underwater noise and fatalities can occur at close distance. Disturbance could have a significant impact if the underwater noise was at an intensity, frequency and duration that affected bird populations in the SPAs identified in the Table 3.

Flushing disturbance can be expected to displace these diving seabirds from close proximity to the survey vessels and any towed equipment, thereby limiting their exposure to the highest sound pressures generated. The likelihood of these birds being in the vicinity of a noise generating operation is low due to the surface activity associated with such operations disturbing the birds prior to commencement of the underwater noise. There is a low likelihood of interaction between the sound source and diving birds due to the relatively short exposure time when they dive, the temporary nature of the survey work, the mobile nature of the birds and the displacement of most diving species due to flushing disturbance. Therefore, it can be determined that underwater noise would be very unlikely to have a significant effect on diving seabirds in the vicinity of the proposed licence area. No mitigation in relation to underwater noise is recommended for birds.

4.1.2 Visual and above water noise disturbance

Temporary displacement from boat activity and above water noise can be expected for bird species foraging in the offshore environment. However, this is unlikely to be significant, due to the temporary nature of the disturbances, the nature of marine traffic in the proposed maritime area providing constant levels of background marine traffic to which the birds are accustomed and the large spatial span of the proposed licence area. It can be determined that above water noise is very unlikely to have a significant effect on birds in the vicinity of the proposed marine usage in the offshore parts of the proposed maritime usage area.

Some of the proposed licence areas within Dublin Bay overlap with the South Dublin Bay and River Tolka Estuary SPA, designated as a site for overwintering birds, including Brent geese. The proposed licence area in Wicklow Port overlaps with The Murrough SPA, also designated for the protection of overwintering birds. Brent geese, in particular, are known to be extremely sensitive to visual impacts and above water noise disturbance. Given the overlap between the SPAs and the proposed licence area, it is recommended that suitable mitigation measures for overwintering waterbirds be included in the Maritime Usage Licence, if granted, though the avoidance of surveys during the peak overwintering period.

South Dublin Bay and the River Tolka Estuary SPA is also designated for the protection of a number of tern species, with specific breeding structures in the Dublin Port area which are actively monitored. Several tern species are designated as part of the Dalkey Islands SPA, which is less than 1km from the proposed licence area. Both breeding and non-breeding terns may be subject to disturbance from visual impacts and above water noise when roosting, foraging or commuting through the proposed licence area.

Post-breeding assemblages of terns congregate around dusk and are known to roost until dawn in the intertidal areas to the south of the Great South Wall within the South Dublin Bay and the River Tolka Estuary SPA, just east of Area B of the proposed licence area. A buffer of 100-200m is recommended around tern roosting sites to minimise disturbance. The types of vessel-based surveys proposed as part of this application can only be undertaken in waters exceeding several metres. Thus, given the bathymetric profile of the proposed licence area within this SPA, i.e. relatively shallow waters, vessel-based surveys will not be undertaken within 200m of the tern roosting sites. However, as a precaution it is recommended that mitigation, to minimise impacts on roosting terns, be included in the licence, if granted by not undertaking surveys during the main roosting period between the hours of dusk and dawn.

Breeding terns are known to have limited sensitivity to disturbance from vessel traffic or anthropogenic activities where the colonies occur in highly disturbed environments. However, some geotechnical surveys are proposed to be undertaken in close proximity to the breeding structures in Dublin Port which are also within the South Dublin Bay and River Tolka SPA. Therefore, it is recommended that mitigation in relation to maintaining a distance from breeding terns in this SPA be included in the licence, if granted.

Given that the Dalkey Islands SPA is outside the 200m distance discussed above, it is not necessary to include specific, mitigation in respect of roosting and breeding terns in the Dalkey Islands SPA.

4.1.3 Physical disturbance and habitat loss

There is potential for the proposed maritime usage activity to cause physical disturbance to habitats and habitat loss within the SACs identified in Table 3.

The National Parks and Wildlife Service (NPWS) conservation objectives records and maps reef habitat located within Wicklow Reef SAC and Rockabill to Dalkey Island SAC. Wicklow Reef SAC is located outside of the proposed licence area, but immediately adjacent to its boundary. The proposed licence area overlaps with the Rockabill to Dalkey Island SAC. Potential impacts on reef habitat were screened out for appropriate assessment by MARA, as no geotechnical surveys are proposed to take place within the mapped areas of reef identified by the NPWS. However, as a precaution, the applicant included both sites in the NIS, and they have therefore been included in this appropriate assessment.

The applicant has stated in their application, and in the NIS, that while there are no surveys planned in the mapped reef areas of the Rockabill to Dalkey Island SAC, there is potential for direct physical disturbance to occur in other areas potentially containing unmapped reef habitat. Furthermore, the applicant stated that the possibility of impact on reef habitat, if found to be present, as a result of the proposed marine environmental surveys in the proposed licence area, cannot be excluded. Therefore, it is recommended that suitable mitigation measures be included in the Maritime Usage Licence to avoid impacts on reef, where granted.

The proposed maritime usage also has the potential for increased suspended sediments that may physically disturb the seabed around the reefs. Given the nature of the marine environmental surveys proposed, the low volumes of seabed material that may be disturbed and the documented low seabed mobility in the vicinity of the proposed maritime usage, any increases in suspended sediments will be temporary and localised. Therefore, no further mitigation is recommended.

4.1.4 Water quality deterioration from accidental incidents with survey vessels.

The use of survey vessels to undertake the proposed maritime usage presents a risk of diesel or oil spills which can impact protected habitats, foraging ability, health and mortality of species identified as susceptible to potential impacts from the proposed project. While the risks associated with this are low, the impact could be significant and mitigation is required. Therefore, it is recommended that suitable mitigation measures in relation to water quality be included in a Maritime Usage Licence, where granted.

4.2 Assessment of In-combination effects

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

project under consideration, have a significant effect, should be taken into account. This in-combination assessment has been undertaken using professional and scientific judgement.

4.2.1 Defining the Cumulative Effects Spatial Scope (CESS)

Impacts of underwater noise associated with the proposed maritime usage are considered to have the widest spatial reach, with harbour porpoise being most sensitive to noise disturbance². The CESS was defined at Appropriate Assessment screening stage as 5km, based on acoustic survey equipment effective deterrence ranges³.

4.2.2 Defining the Cumulative Effects Temporal Scope (CETS)

The temporal scope for examination of cumulative effects has been defined considering the period over which the proposed maritime usage is proposed to take place. It is recommended that a licence be granted for a period of 3 years, therefore, the Cumulative Effects Temporal Scope (CETS) is 3 years.

4.2.3 Impacts and Pathway Identification

Impacts	Potential cumulative pathway
Disturbance from underwater noise	Pathway possible via sound travelling through water with impacts possible within the CESS where there is temporal overlap with other underwater noise producing projects.
Visual and above water noise disturbance.	Pathway possible via light and sound travelling through air with impacts possible within the CESS where there is temporal overlap with other visual and above water noise producing projects.
Physical disturbance and habitat loss	Potential pathway for physical disturbance and habitat loss impact where there is spatial and temporal overlap.
Deterioration in water quality due to accidental incidents	Pathway possible via substances in the water with impacts possible within the CESS where there is temporal overlap with another accidental incident.

4.2.4 Prediction:

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

Disturbance from underwater noise

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

Visual and above water noise disturbance

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

Physical disturbance and habitat loss

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

² JNCC Guidance on Assessing the Significance of Noise Disturbance against Harbour Porpoise SACs Conservation Objectives (<https://data.jncc.gov.uk/data/2e60a9a0-4366-4971-9327-2bc409e09784/JNCC-Report-654-FINAL-WEB.pdf>)

³ Effective Deterrence Range – the radius of a circular area assumed to be disturbed.

Deterioration in water quality due to accidental incidents

There is potential for increased risk of accidental incidents or water quality deterioration if other relevant projects were to take place in the vicinity of the proposed activities at the same time.

4.2.5 Identification of Plans or Projects that could act in combination:

Searches were carried out of relevant databases (e.g. EPA, Foreshore, MARA, planning authorities, aquaculture, etc.) for other plans/projects with characteristics that may cause in-combination or cumulative effects with the project being assessed, on European sites (25th April 2025, 13th January 2026). All relevant plans and projects within the CESS and CETS have been considered. The projects within the CESS and CETS have been considered for their potential to cause cumulative effects, in combination with the proposed maritime usage being considered in this licence application, on the qualifying interests of Special Areas of Conservation and Special Protection Areas.

Particular attention is given in the context of this in-combination assessment to the following projects:

- Foreshore licence for site investigations held by Codling Windpark Ltd (FS007546);
- Maritime usage licence application for dredging and deposit of dredge material from Wicklow County Council (MUL230026);
- Maritime usage licence for marine environmental surveys held by Iarnród Éireann (MUL230023);
- Maritime usage licence for marine environmental surveys held by Dublin City Council (LIC230007);
- Maritime usage licence application for marine environmental surveys from EirGrid (MUL240010);
- Maritime usage licence application for marine environmental surveys from Uisce Éireann (MUL240026);
- Dumping at Sea permit for maintenance dredging to maintain the navigation channel, basins and berths of Dublin Port, including disposal at an offshore dump site in outer Dublin Bay, held by Dublin Port Company (S0004-03);
- Dumping at Sea permit for capital dredging activities in Dublin Port, including disposal at an offshore dump site in outer Dublin Bay held by Dublin Port Company (S0024-02);
- Dumping at Sea permit for capital dredging in the Inner Liffey Channel (Dublin Harbour), including disposal at an offshore dumpsite in outer Dublin Bay (S00-33-01);
- Dumping at Sea permit application for Dublin Port Company for the 3FM Project (S0038-01).

In addition, the in-combination assessment considers the potential cumulative impacts from minor development projects, aquaculture, agriculture and wastewater discharges in the geographical area in the proposed licenced area.

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

- The Climate Action Plan 2025;
- Water Action Plan 2024: Ireland's third River Basin Management Plan.

4.2.6 In-Combination Effects Assessment conclusion

There is potential for in-combination effects on the conservation objectives of the European sites addressed in this appropriate assessment, where impacts from the proposed site investigation activities could interact synergistically with other plans and projects, to create adverse effects on the integrity of the European sites. In order for synergistic interactions to occur both sources of impacts must reach a threshold of interactive potential that is of sufficient character, magnitude, duration or intensity. The assessment in Section 4.1 of this report, has already assessed the potential for significant effects of the proposed site investigation activities on European sites.

As discussed in Section 4.1, the potential impacts resulting from the proposed site investigation activities on European sites were identified as water quality deterioration, habitat loss and habitat disturbance, underwater noise, above water noise and visual disturbance. Particular attention was given to those projects listed in Section 4.2.5 above as having spatial and temporal overlap.

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

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

4.3 Residual Effects

This assessment has identified Likely/Possible Significant Impacts on European Sites and their conservation interests in Section 4.1 and recommends mitigation measures for each at Section 4.6 below. It is considered that the mitigation measures described and their implementation through licence conditions will remove, or reduce to imperceptible levels, all negative impacts and that residual effects will not arise.

4.4 Assessment of Transboundary effects

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

4.5 Consultation

A 30-day public consultation was undertaken commencing on 19th November 2025, with the public invited to make observations. In addition to the public consultation, observations were invited from relevant public bodies. Six (6 no.) submissions were received on foot of the public consultation, while seven (7 no.) submissions were received from relevant public bodies. These submissions have been considered as part of the appropriate assessment and are summarised in the MUL Assessment Report associated with this MUL application.

4.6 Mitigation Measures

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

4.6.1 Disturbance from underwater noise

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

Marine Mammals

- (i) *The Holder shall appoint a marine mammal observer(s) for the purposes of overseeing the Permitted Maritime Usage. The Holder shall ensure the marine mammal observer(s) shall satisfy the requirements of the most up to date national guidance. During the activity the Holder shall comply with the directions of the marine mammal observer(s).*
- (ii) *The Holder shall implement risk control and mitigation measures for marine mammals in strict accordance with the most up to date national guidance.*
- (iii) *The Holder shall, within 30 days of the completion of the Permitted Maritime Usage, forward a report of the marine mammal observer(s) operations and mitigation undertaken, to offshore@npws.gov.ie and compliance@mara.gov.ie*
- (iv) *The Holder shall publish the report and recording and data forms on their website within 60 days of completion of the Permitted Maritime Usage unless otherwise agreed with the Grantor.*

4.6.2 Visual and above water noise disturbance

Mitigation is required to minimise visual disturbance and above water noise disturbance to birds as follows:

Birds

- (i) *The Holder shall not undertake geotechnical and geophysical surveys within the South Dublin Bay and River Tolka Estuary SPA and The Murrough SPA during the period October to March;*
- (ii) *The Holder shall not undertake geotechnical and geophysical surveys within the South Dublin Bay and River Tolka Estuary SPA, during the period July to September between the hours of 18:00 and 08:00.*
- (iii) *The Holder shall not undertake geotechnical and geophysical surveys within Areas B & C of the Licensed Area, or within 200m of the tern pontoons located in Dublin Port during the period of April to August inclusive.*

4.6.3 Physical disturbance and habitat loss

Mitigation is required to minimise impacts on reef habitats. It is recommended a condition be included in any maritime usage licence, if granted, as follows:

The following condition will ensure that any unmapped areas of reef on the seabed can be identified prior to commencing geotechnical surveys.

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 underwater cultural heritage and reef habitats are avoided.

Reef Habitat Protection

- (i) No geotechnical activities shall take place in Reef habitat (EU Annex 1 habitat code 1170) in the Rockabill to Dalkey Island SAC and in the Wicklow Reef SAC.*
- (ii) Prior to the commencement of the geotechnical activities in the Rockabill to Dalkey Island SAC and in the Wicklow Reef SAC a drop-down video shall be deployed, and imagery shall be recorded and retained, at each sampling location to ensure reef habitat is avoided in the course of such geotechnical activities.*

4.6.4 Water quality deterioration from accidental incidents with survey vessels.

Mitigation is required to minimise the risk of impacts as a result of accidental spills from small craft or survey vessels. It is recommended a condition be included in any maritime usage licence in relation to this activity that may be granted as follows:

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.*

4.6.5 In-combination effects

To minimise any in-combination effects as a result of other relevant projects or plans, it is recommended a condition be included in the licence, if granted, as follows:

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 10km radius of the Licensed Area.*
- (ii) Where a vessel to vessel distance of greater than 10km 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 10km, no temporal co-ordination of activities is required.*
- (iii) Where the Holder becomes aware of temporal overlap that cannot be resolved within the prescribed distance, the Holder shall notify the Grantor who shall determine the timing of activities.*

- (iv) *Records of all engagements held and agreements reached, if any, shall be maintained by the Holder and made available to the Grantor if requested.*

5 Appropriate Assessment Conclusion

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

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

The potential direct and indirect effects as a result of disturbance from underwater noise, visual and above water noise disturbance, physical disturbance and habitat loss and disturbance due to accidental incidents were identified as having the potential to cause in-combination impacts which could not be ruled out, beyond reasonable scientific doubt, without mitigation.

Mitigation measures were identified to ensure that impacts on European sites and their qualifying interests and special conservation interests do not occur. Therefore, with adherence to the mitigation measures specified in section 4.6 *Mitigation Measures*, and in view of best scientific knowledge, and of the sites' conservation objectives, the project, individually, or in-combination with other plans or projects, will not have adverse effects on European sites.

Signature and Date of Recommending Marine Advisor	 Suzanne Wylde Senior Marine Advisor Assessment, Research and Data 21 st January 2026
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6 Appropriate Assessment Determination

Having considered this report, the documents submitted by Codling Wind Park Limited, the observations received on foot of the public consultation on the application, along with my own assessment, it can be concluded, and I determine, for the purposes of Article 6(3) of the Habitats Directive and Regulation 42(11) of the Birds and Natural Habitats Regulations, that the ***proposal to undertake marine environmental surveys for the purposes of site investigations to gather data in the Irish Sea, Wicklow Harbour and Dublin Bay (MUL230034)*** (either individually or in combination with any other plans or projects), will not adversely affect the integrity of any European sites, in view of the sites' conservation objectives, subject to the implementation of the mitigation measures specified in Section 4.6 Mitigation Measures adopted and outlined above, which must be included as conditions to

any consent that may be granted in respect of the respective maritime usage licence application.

Signature and Date of Decision Maker	 John Evans Director of Assessment, Research and Data 21 st January 2026
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