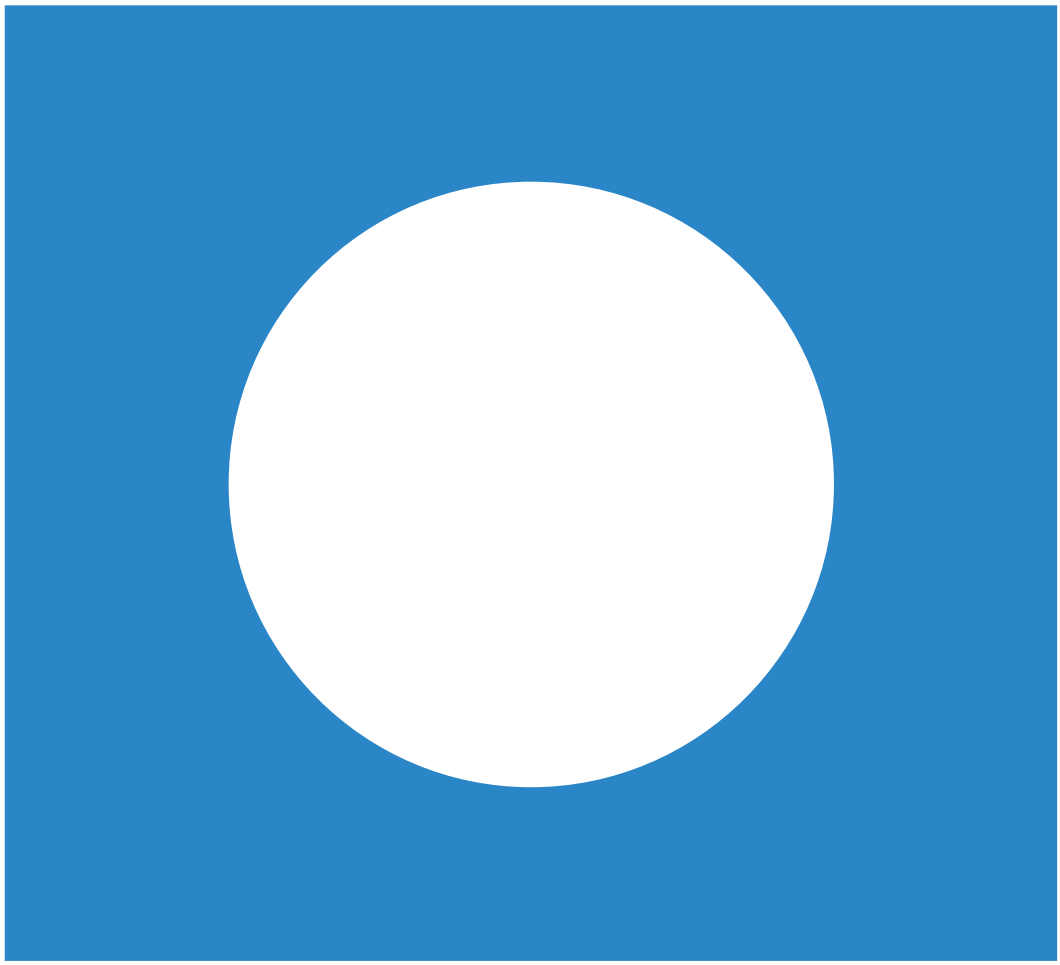

Newport Marine Modelling Study

Assessment of Impacts of the Maritime Usage

December 2024

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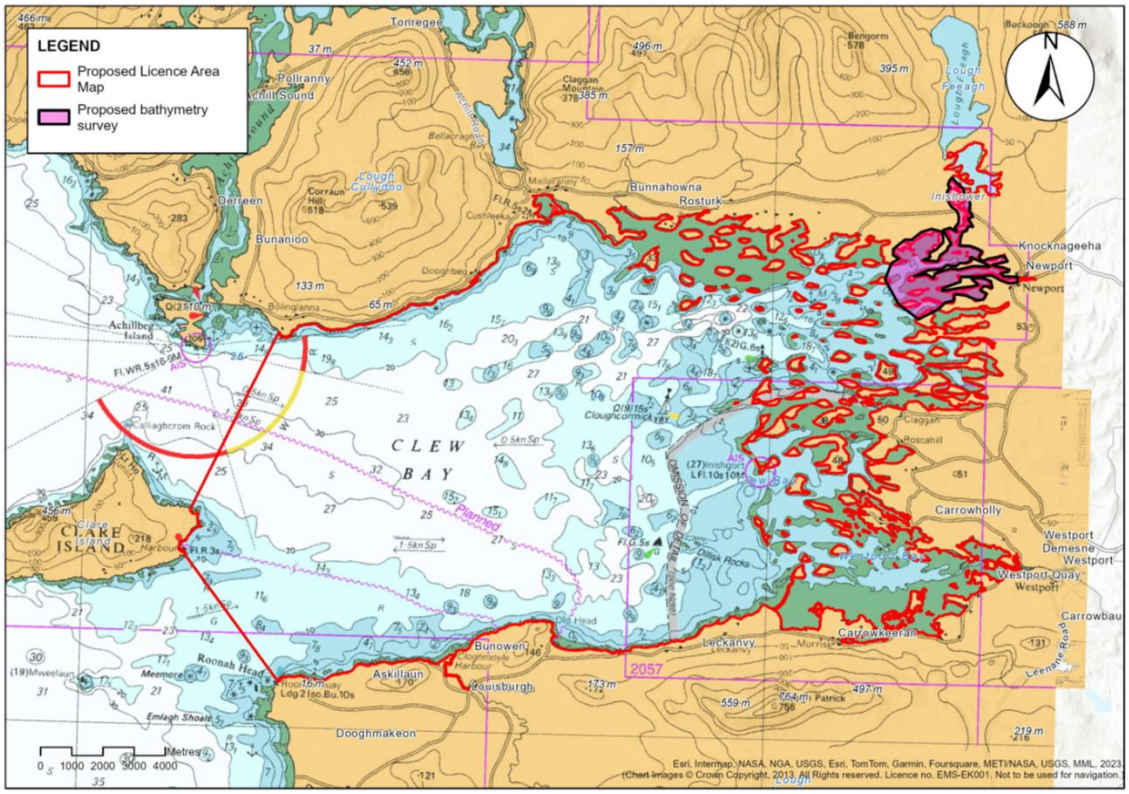
1 Introduction

1.1 Project Overview

Uisce Éireann ("the Applicant") are seeking a maritime usage licence to conduct marine surveying within Clew, Newport and Westport Bay, County Mayo. Mott MacDonald Ireland Limited have been appointed by Uisce Éireann to prepare this report to assess the impacts (positive or negative) of all the potential impacts related to the proposed maritime usage - marine surveying. The extent of the licence area is illustrated in Figure 1.1.

Figure 1.1: Licence area boundary and bathymetry survey area



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1.2 Project Need

The proposed marine surveys are required as part of data collection to provide quantitative inputs for a hydrodynamic model which is required to profile Clew, Newport, and Westport Bay to aid the selection of a new discharge outfall for a proposed wastewater treatment plant for the settlement of Newport. Wastewater collected from the agglomeration of Newport is currently untreated, and the existing wastewater treatment plant is non-compliant with its Waste Water Discharge Authorisation (WWDA) licence. The principal objective of the marine surveys is to help ensure robust assessments can be completed for the design of a new wastewater treatment plant which provides treated discharges in compliance with the Urban Waste Water Treatment Directive and with the conditions set in the extant WWDA licence.

1.3 Description of Marine Modelling Study

The proposed marine modelling will take place within Clew, Newport, and Westport Bay, County Mayo. The boundary for the maritime usage licence is illustrated in Figure 1.1 and the locations of the survey instrumentation is detailed in Figure 1.2. The marine surveys will comprise of the following:

- Installation of 2no. weather stations to aid validation of data
- Installation of 6no. tidal gauges
- Installation of 5no. acoustic doppler current profiler (ADCPs) with vertical profiles and conductivity, temperature, and depth (CTD) device
- Installation of 4no. river flow and stage gauges
- Deployment of a drone to conduct a Light Detection and Ranging (LiDAR) survey to establish bathymetry of site
- Deployment of Multi Beam Echo Sounder (MBES) to complement the LiDAR dataset
- Deployment of an ARCBoat or installation of 8no. pontoons mounted to a Buoys which will be temporarily anchored to aid water sample collection
- Deployment of drone and hydro-drone to conduct dye and microbial tracing survey to understand dispersion pattern of effluent and to aid conceptual model calibration and verification processes under different conditions
- Water quality sampling within the bay and rivers
- Maintenance of the tidal and flow gauges, weather stations at site
- Decommissioning/removal of all surveying equipment at the end of the survey period

Figure 1.2: Location of survey instrumentation

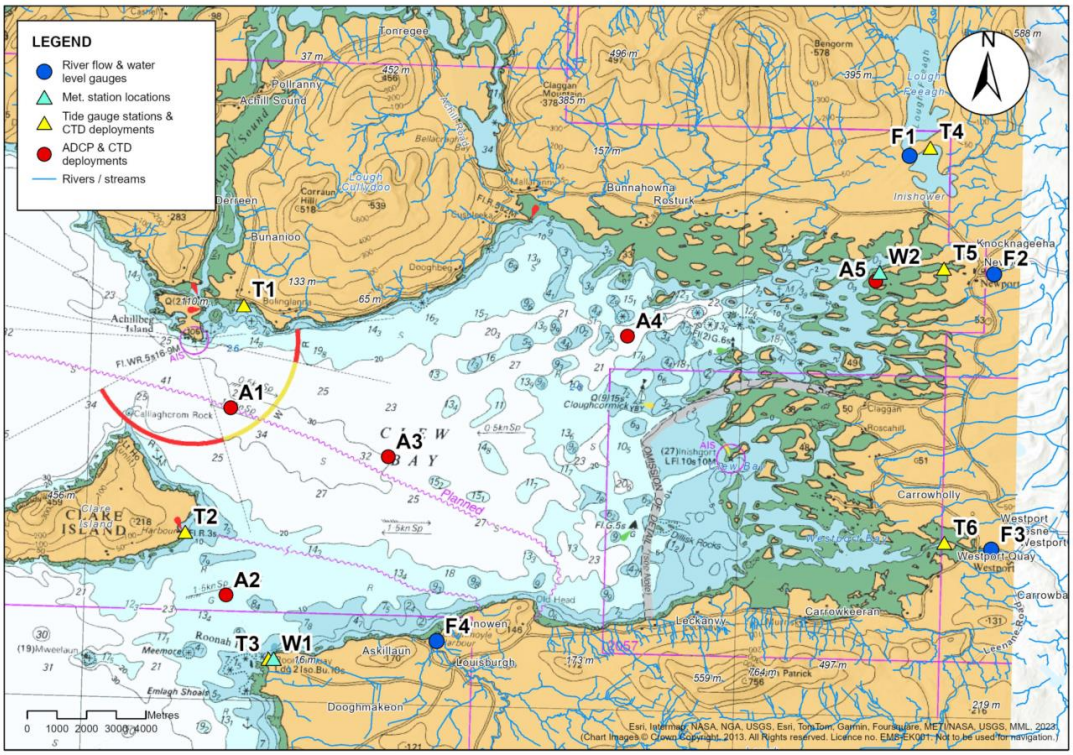

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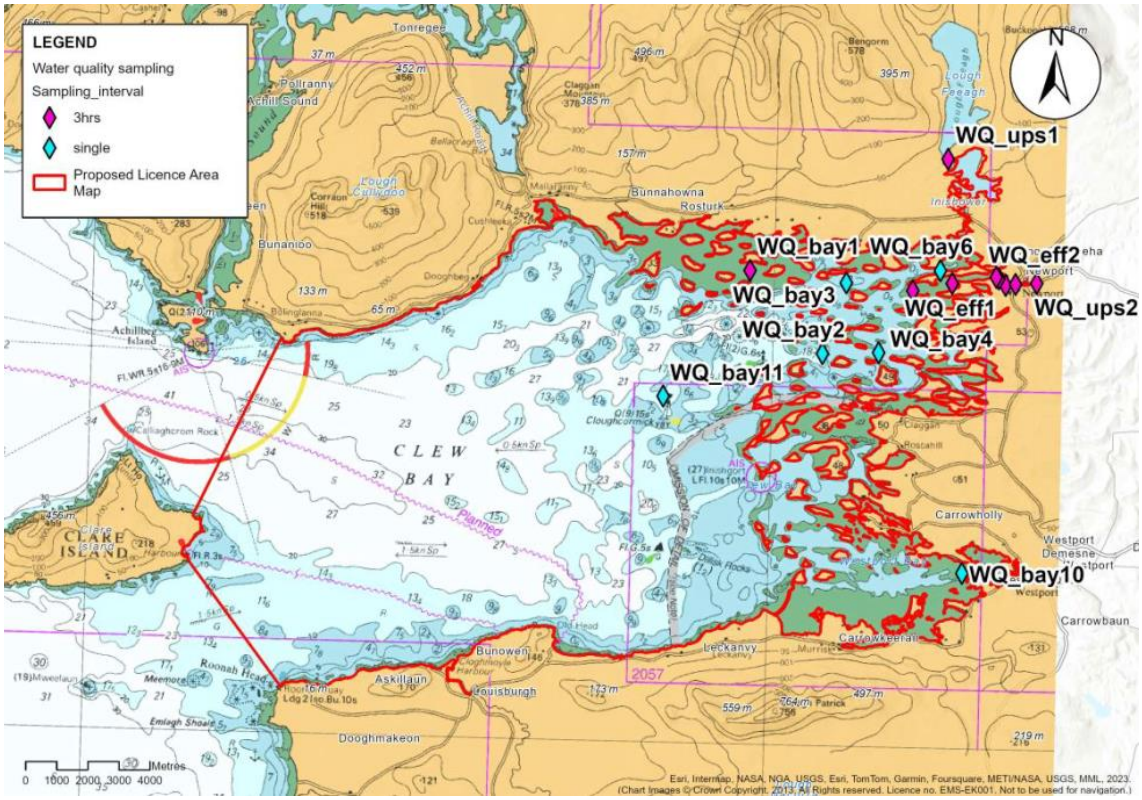
Figure 1.3: Water Sampling Locations



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The marine surveys are not seasonally constrained, as spring and neap tides occur bi-monthly. The current gauge, tide meter and CTDs (conductivity, temperature, depth profiler) will be deployed for a minimum period of 35 days (up to 12 weeks dependent upon weather conditions) to cover spring and neap tide. The marine survey equipment will be either drone operated, or comprise floating instrumentation deployed from a boat.

The only land-based survey equipment will be the meteorological stations; these stations do not require any works to facilitate their placement on land as they are self-contained and preassembled units and will be temporarily fixed/staked to the ground. The river gauges will be staked to the riverbed for a 12-month period and will record river flow levels continuously for a period of 12 months. The programme for collecting data on meteorological conditions, river and tidal levels and water quality will take place for a period of 12 months.

The licence is sought for a period of five years to enable works to be scheduled and completed in favourable weather conditions. The commencement of the surveying will be dependent upon the issuing of the maritime usage licence.

There are no other activities proposed or required to facilitate the surveys required, apart from those described in Table 1.1. Following the completion of surveys, all survey equipment will be removed.

Table 1.1: Survey Details

Survey Type	Locations as identified in Figure 1.2	Description of Survey and survey equipment
Meteorological Station	W1 and W2	To aid the validation of data gathered in this survey two meteorological stations are proposed to be installed and operational prior to commencement of all surveys and shall remain operational until the recovery of all surveying equipment. The proposed locations for the survey meteorological stations are on land.
Tide Gauge data	T1 to T6	Six tidal gauges are proposed. The tidal gauges shall be installed prior to any hydrodynamic and water quality monitoring and not removed until completion of all other water-based surveys. Thes gauges will be attached to existing piers.
River Flow and Stage data	F1 to F4	Four flow gauges are proposed. The flow gauges shall be installed and will be mounted from dry land prior to any hydrodynamic and water quality monitoring and not removed until completion of all other water-based surveys. The gauges will be in place for 12 months and thereafter removed. River water quality sampling will also take place at each of these locations.
Bathymetric data	Completed by a drone	It is recommended that a Light Detection and Ranging (LiDAR) survey covering shallow (<5m depth) areas during low tides is carried out to fill the bathymetry data gaps as shown on the dashed area in Figure 1.1. The LIDAR survey will be completed by a remotely controlled/un-manned drone, there will be no impact on land or water habitat.
Current/velocity data	A1 to A5	It is recommended that current monitoring is undertaken using Acoustic Doppler Current Profile (ADCP) current meters to provide the necessary dataset for model calibration and verification purposes. A total of 5No. ADCPs is proposed.
Temperature and salinity data	A1 to A5	To aid model calibration and verification, both salinity data and temperature data is recommended to be collected to inform the decision-making process and to improve model robustness. Near-bed Temperature and Salinity sensors will be included in bed-mounted ADCP deployment. This may be supplemented by boat access to maintain the sensor during the survey period
Water quality data	Mounted buoys or remote-controlled boat access	There is limited water quality sampling data available adjacent to the outfall of the existing WWTP at Newport. To establish the baseline conditions, additional sampling will be necessary. Water quality sampling will be undertaken in Newport, Westport, and Clew Bay, as well as at the tidal limits of the three main contributing rivers flowing into the Bay(s). Sampling will be undertaken using pontoons preferably (e.g., sampling equipment mounted on buoys) or via a remotely controlled boat access (ARCBoat). An automatic sampler may be deployed to collect water samples or samples may be taken manually depending on available access.
Dye and microbial tracing	Deployed from a boat	Tracing data is valuable to understand the dispersion pattern of effluent and to aid conceptual model calibration and verification processes under different conditions (e.g., with and without wind). The tracer will be dispersed from a boat and drone surveys will be conducted in parallel with the dye releases to monitor the progression of the plume. A hydro-drone will also be deployed with a mounted GPS system to monitor the concentration of the plume in-situ and its development and variation over time.

1.4 Alternatives

There is no alternative to the marine surveying as actual data to contextualise the tidal and water quality characteristics of Clew, Newport, and Westport Bay is required for the hydrodynamic model and assimilative capacity calculations. The survey data is required to make a technical assessment for the selection of a new outfall and must be undertaken.

2 Legislative Review

2.1 Introduction

This chapter provides a review of relevant legislation related to the protection of coastal waters against the proposed maritime usage.

2.2 EIA Directive

In support of the maritime licence usage application, a screening for environmental impact assessment (EIA) report was prepared and is provided in Appendix A. It concluded that the project types listed in Annex I and II of the Directive (2011/92/EU) as amended by Directive 2014/52/EU (together, the “EIA Directive”) do not describe the proposed survey activities and do not share the characteristics of any project listed in Annex I or II. The EIA Directive is therefore not applicable to the proposed surveying activities and there is no requirement for an EIAR to be completed.

2.3 Water Framework Directive

The EU Water Framework Directive (2000/60/EC) requires all Member States to protect and improve water quality in all waters so that we achieve good ecological status by 2027 at the latest. It applies to rivers, lakes, groundwater, and transitional coastal waters. The marine surveys are being undertaken with Newport and Westport Bay, which are both transitional coastal waterbodies. Clew Bay (including Inner Clew Bay) is a coastal water body under the Water Framework Directive. The proposed surveys do not pose any risk to coastal water quality or impede the achievement of good status, or retention of High status which Clew Bay obtained for the latest monitoring period 2016-2021.

There are river level/flow meters proposed in four surface water bodies, however this will have no impact on water quality and therefore there is no impediment to achieving the objectives of the Water Framework Directive.

2.4 Marine Strategy Framework Directive

The EU Marine Strategy Framework Directive (MSFD) was put in place to protect the marine ecosystem and biodiversity upon which our health and marine-related economic and social activities depend. It seeks to achieve a clean, healthy, biologically diverse and sustainably used marine environment, referred to as good environmental status within the MSFD. Pursuant to Article 5 of the MSFD, Ireland has prepared a Marine Strategy including Programme of Measures (revised in 2022) to manage pressures on the marine environment.

The marine surveys and associated technical equipment are non-invasive, silent, small in scale and will be deployed on a temporary basis. The proposed surveys are temporary in nature and will not result in any adverse or significant effects that would result in impact good environmental status or its achievement. The proposed survey equipment will be removed upon conclusion of the surveying activities. These types of surveys are undertaken on a regular basis within Irish coastal waters and therefore any risks are predictable. There are no mitigation measures required as the environmental effects are considered to be negligible. In conclusion, there are no negative environmental impacts from the proposed survey activities and no impact on the achievement of good environmental status for the local marine environment (licence area and adjoining marine areas).

2.5 Planning and development context

The proposed maritime usage – marine surveys, are exempt from the requirement for development consent (planning approval) under Section 4 paragraph 4(1A)(f) of the Planning and Development Act 2000 (as amended) -

"4(1A)(f) activities that are the subject of, or require, a licence under Part 5 of the Maritime Area Planning Act 2021".

The Maritime Area Planning Act 2021 (as amended*)* highlights that "exempted usage" shall be construed in accordance with Section 114; *"Schedule 7 usage" means a maritime usage specified in Schedule 7"*, with Section 114 providing (inter alia) that: *"(2) Notwithstanding any regulations made under subsection (1) but subject to subsection (3), any particular Schedule 7 usage shall not be exempted usage if an appropriate assessment or environmental impact assessment of the usage is required".*

As stated in Section 2.2 above the proposed maritime usage subject to this licence application does not require an EIA. A Supporting Information for Screening for Appropriate Assessment report has been prepared and has concluded that a Stage 2 Appropriate Assessment (Natura Impact Assessment) is not required to be prepared and that the proposed maritime usage does not pose a risk of significantly affecting (either directly or indirectly) any European site, either alone or in combination with other plans or projects, and there is no reasonable scientific doubt in relation to this conclusion.

In conclusion, the proposed maritime usage does not require development [planning] consent.

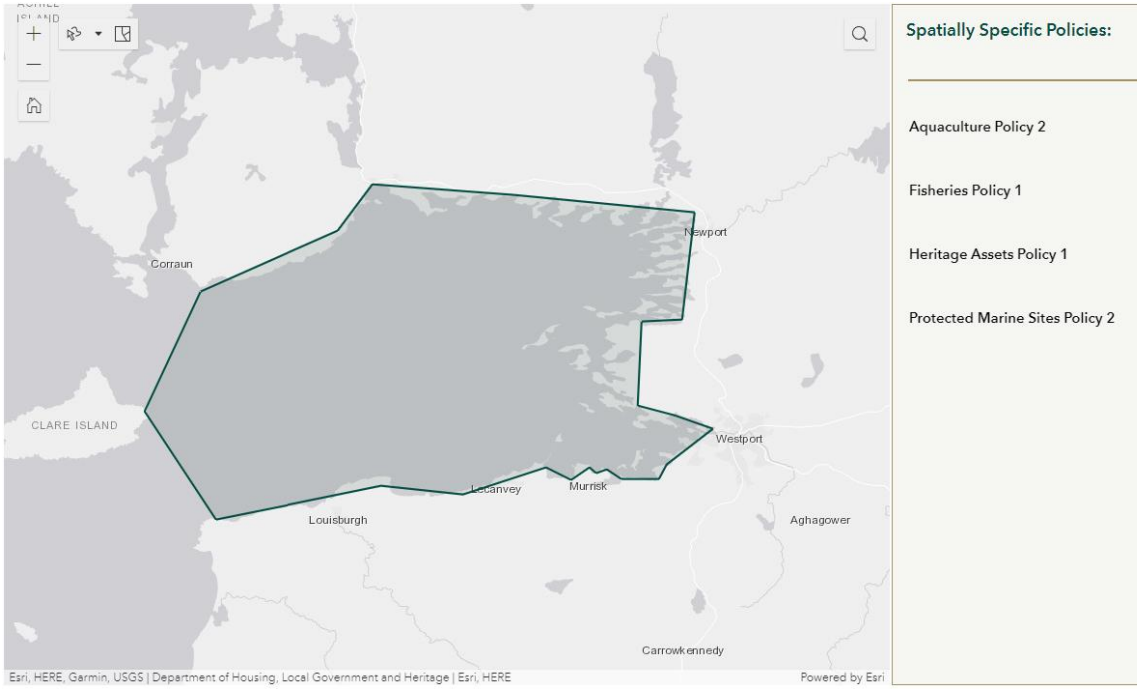
3 Statement of Consistency

3.1 Introduction

The NMPF has a number of overarching marine planning policies (OMPPs) which are applicable to "*all proposals capable of having impacts in the maritime area*". The OMPPs apply to particular classes of activities and the NMPF arranges these into 16No. general sectors, grouped into three categories - environmental, social and economic. The OMPPs are supplemented with sectoral marine planning policies (SMPPs). All proposals are required to consider which SMPPs are applicable and demonstrate compliance where relevant, along with the OMPPs.

The NMPF includes interactive reference maps for various activities and interests in Ireland's offshore area, which can be found at https://www.marineplan.ie/. The marine plan webtool assists in identifying spatially specific polices, as well as those which are more general NMPF plan area policies. The interactive policies map (see Figure 3.1) was used in conjunction with the NMPF to identify and confirm the relevant marine planning policies which apply to the proposed marine surveying. Figure 3.1 shows the indicative area relating to the proposed marine modelling activities and the spatially specific policies as identified by the policies map. The spatially specific policies are dealt with in Section 3.2, while Section 3.3 addresses consistency with sectoral policies of relevance.

Figure 3.1: NMPF Policies Map



Source: https://www.marineplan.ie/

3.2 Spatially Specific Policies

3.2.1 Protected Marine Sites Policy

The proposed surveying will be undertaken within Clew, Newport, and Westport Bay which comprises two designated habitats sites, namely Clew Bay Complex Special Area of Conservation (SAC) - (site code: 001482) and West Connacht Coast SAC (site code: 002998). As such the OMPPs to protect marine sites, such as both of these SACs, are relevant to the proposed survey activities. There are a total of four Protected Marine Sites policies, although it is noted in Figure 2.1 that only Policy 2 is listed for the spatial extent of the survey area; however, the remaining three are also addressed herein.

Protected Marine Sites Policy 1
Proposals must demonstrate that they can be implemented without adverse effects on the integrity of Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). Where adverse effects from proposals remain following mitigation, in line with Habitats Directive Article 6(3), consent for the proposals cannot be granted unless the prerequisites set by Article 6(4) are met.

Protected Marine Sites Policy 2
Proposals supporting the objectives of protected marine sites should be supported and:

be informed by appropriate guidance

must demonstrate that they are in accordance with legal requirements, including statutory advice provided by authorities relevant to protected marine sites

Protected Marine Sites Policy 3
Proposals that enhance a protected marine site's ability to adapt to climate change, enhancing the resilience of the protected site, should be supported and:

be informed by appropriate guidance

must demonstrate that they are in accordance with legal requirements, including statutory advice provided by authorities relevant to protected marine sites

Protected Marine Sites Policy 4
Until the ecological coherence of the network of protected marine sites is examined and understood, proposals should identify, by review of best available evidence (including consultation with the competent authority with responsibility for designating such areas as required), the features, under consideration at the time the application is made, that may be required to develop and further establish the network. Based upon identified features that may be required to develop and further establish the network, proposals should demonstrate that they will, in order of preference, and in accordance with legal requirements:

a. avoid,
b. minimise, or
c. mitigate significant impacts on features that may be required to develop and further establish the network, or
d. if it is not possible to mitigate significant impacts, proposals should set out the reasons for proceeding.

Policy Response

The proposed survey activities have been assessed under Article 6(3) obligations under the Habitats Directive; this assessment is provided in the Supporting Information for Screening of Appropriate Assessment report which accompanies the marine usage licence application. This report is in accordance with Protected Marine Sites Policy 1 and 4. The assessment concluded

that the proposed Project does not pose a risk of significantly affecting (either directly or indirectly) any European site, either alone or in combination with other plans or projects, and there is no reasonable scientific doubt in relation to this conclusion.

The proposed surveys support the objectives of protected marine sites as they will not result in any changes to, or the impediment of, the conservation objectives for Clew Bay Complex SAC or West Connacht Coast SAC, and does not pose a risk of significantly affecting these or any other European site, as such the marine surveys are in accordance with Policy 2. Correspondingly, the proposed surveys will facilitate the preparation of dispersion modelling for a new outfall as part of the upgrading of Newport WWTP which will ensure that the best location for the proposed WWTP outfall will be chosen to avoid adverse effects to the SACs.

The proposed surveys are, in and of themselves, activities which will not impact either SAC as the survey equipment is non-intrusive and to be deployed for a limited period (minimum period of 35 days, the two meteorological stations and tide gauges will be place for a minimum of 12 months) and will be removed at the end of the survey period.

The Supporting Information for Screening of Appropriate Assessment report addresses the use of Acoustic Doppler Current Profile (ADCP) current meters, which will be bed-mounted and could be deemed to have a potential impact to a European Site, due to disturbance to benthic habitats. Notwithstanding, the report concludes that there would be no physical disturbance or noise emission disturbance that would give rise to impacts on the SAC. There is no identified pathway between the proposed project impact sources and the qualifying interests of Clew Bay SAC, West Connacht Coast SAC, or any other European Sites. The proposed survey activities therefore avoid any significant impacts to European Sites in accordance with Policy 1, 2, and 4.

In relation to Protected Marine Sites Policy 3, the proposed surveys are not a type of ‘project’ or activities which would provide, or be required to provide, climate change adaptability or resilience. As such Protected Marine Sites Policy 3 is not applicable to the proposed marine surveying.

As indicated above, the proposed surveys are compliant and consistent with the Protected Marine Site Policies of the NMPF.

3.2.2 Fisheries Policy 1

Proposals that may have significant adverse impacts on access for existing fishing activities, must demonstrate that they will, in order of preference:

a. avoid,
b. minimise, or
c. mitigate such impacts.
d. If it is not possible to mitigate significant adverse impacts on fishing activity, the public benefits for proceeding with the proposal that outweigh the significant adverse impacts on existing fishing activity must be demonstrated.

Policy Response

The NMPF supports management of sea-fisheries resources consistent with relevant environmental sustainability considerations and the development of the sector’s economic and social contribution to rural and coastal communities.

The proposed marine surveys and deployment of associated survey equipment will not inhibit access related to fisheries activities. The duration of the survey equipment being in place in Clew, Newport and Westport Bay, is also limited in its duration (survey duration is approximately 35 days, the meteorological stations and tidal gauges will be in place for 12 months). There are

no adverse significant effects on access for existing fishing activities and therefore no avoidance, minimisation or mitigation techniques are required.

3.2.3 Aquaculture Policy 2

Non-aquaculture proposals in aquaculture production areas must demonstrate consideration of, and compatibility with, aquaculture production. Where compatibility is not possible, proposals must demonstrate that they will, in order of preference:

a. avoid;
b. minimise;
c. mitigate significant adverse impacts on aquaculture.
d. If it is not possible to mitigate significant adverse impacts upon aquaculture, proposals should set out the reasons for proceeding.

Policy Response

Numerous aquaculture licensed sites (shellfish and oysters) as are present within Clew, Newport and Westport Bay, which is a designated shellfish area, covering an area of 172.4km2 within the Bay.

The Clew Bay Pollution Reduction Programme under the European Communities (Quality of Shellfish Waters) Regulation 2006 (as amended) S.I. No. 268 of 2006, identifies key or secondary pressures on shellfish designated waters. The WWTP has not been identified as a key or secondary pressure; however, wastewater treatment and effluent discharge licences, are listed as issues under future development.

The proposed future upgrading of the Newport WWTP will ensure that water quality is maintained within the thresholds of Article 5 of Directive 2006/113/EC [quality required for shellfish waters], with faecal coliforms and E.Coli the key parameters of concern for shellfish production areas. The proposed surveys are important in identifying any new future discharge outfall for the upgraded WWTP and thus also towards ensuring that there is no impact on the designated shellfish waters. The surveys include a dye trace survey; however, the time limited and dispersive nature of this survey will not impact the shellfish production areas within Clew, Newport and Westport Bay.

The proposed surveys are therefore compliant and consistent with Aquaculture Policy 2 in relation to the minimisation of impacts to aquaculture production sites.

3.2.4 Heritage Assets Policy 1

Proposals that demonstrate they will contribute to enhancing the significance of heritage assets will be supported, subject to the outcome of statutory environmental assessment processes and subsequent decision by the competent authority, and where they contribute to the policies and objectives of this NMPF. Proposals unable to contribute to enhancing the significance of heritage assets will only be supported if they demonstrate that they will, in order of preference:

a. avoid,
b. minimise, or
c. mitigate harm to the significance of heritage assets, and
d. if it is not possible, to mitigate harm, then the public benefits for proceeding with the proposal must outweigh the harm to the significance of the heritage assets (see definition of ‘Public Benefits’ in the Glossary).

Policy Response

The proposed surveys are not related to the enhancement of heritage assets. The survey locations will not impact any identified heritage assets mapped by the Activities Map on marineplan.ie. The proposed survey activities will avoid any heritage assets and is therefore compliant with this policy.

3.2.5 Water Quality Policy

The NMPF includes two water quality policies which are relevant to the proposed surveying activities. These are reproduced below.

Water Quality Policy 1
Proposals that may have significant adverse impacts upon water quality, including upon habitats and species beneficial to water quality, must demonstrate that they will, in order of preference and in accordance with legal requirements:

a. Avoid,
b. Minimise, or
c. Mitigate significant adverse impact

Water Quality Policy 2
Proposals delivering improvements to water quality, or enhancing habitats and species, which can be of benefit to water quality, should be supported.

Policy Response

The proposed survey activities will collect hydrographic conditions/ data in Clew, Newport and Westport Bay, as well as in relation to the main rivers which flow into the Bay. These surveys will assist in establishing the assimilative capacity of the Bay and how best to achieve compliance consistent with the Water Framework Directive, for discharge from the proposed upgraded Newport WWTP.

The proposed surveys do not result in any significant adverse impacts upon water quality. The proposed surveys are an important step in the characterisation of the hydrodynamics/ hydrographic conditions in Clew Bay. The proposed upgrade/replacement of Newport WWTP will remove the untreated discharge to the Bay under the current operating regime, to assist in ensuring that the objectives of the Water Framework Directive continue to be met for Clew Bay.

The proposed surveying, in particular the dye trace survey, will not result in an exceedance of any limit value in the European Communities (Quality of Shellfish Waters) Regulations 2006 (S.I. No. 268 of 2006) for any parameters listed, such as pH, coloration, suspended solids, salinity, dissolved oxygen and petroleum hydrocarbons, metals, and PCBs (polychlorinated biphenyls).

The proposed surveys are compliant and consistent with the NMPF water quality policies and given the objectives and reasons for the proposed survey activities, should, in accordance with Water Quality Policy 2, be supported, as they will assist in delivering improvements to the water quality of Clew Bay, and consequently also the general enhancement of Clew, Newport and Westport Bay habitats and species.

3.3 Consistency with Sectoral Policies

The NMPF lists several sectoral policies for specific marine activities, ‘Wastewater Treatment and Disposal’ is applicable to the proposed marine surveying, as the proposed surveys will be used to inform the design of an upgrade to Newport WWTP to resolve the existing scenario where untreated discharges are released to Clew, Newport and Westport Bay. The objectives and policies are reproduced below.

3.3.1 Wastewater Treatment and Disposal Policy

Objectives

To bring and maintain public water and wastewater services to acceptable international benchmarks, verified by independent monitoring and reporting, through increased wastewater treatment based on best available techniques, with a focus on, inter alia, ensuring full compliance with the Urban Wastewater Treatment Directive and wastewater licensing requirements.

To support communities and sustainable development in coastal areas through the provision of resilient water services, now and into the future.

Wastewater Treatment and Disposal Policy 1
Proposals by Irish Water related to the treatment and disposal of wastewater that:
i) service the social and economic development of the country under the National Planning Framework;

ii) resolve environmental issues at priority areas identified by the EPA;

iii) contribute to the realisation of the objectives of:

Ireland's River Basin Management Plan 2018 - 2021

The Water Services Policy Statement 2018 - 2025

Marine Strategy Framework Directive 2012 - 2020
should be supported, provided they fully meet the environmental safeguards contained within relevant authorisation processes

Wastewater Treatment and Disposal Policy 2
Proposals that have the potential to significantly adversely affect existing and planned wastewater management and treatment infrastructure where a consent or authorisation or lease has been granted or formally applied for by Irish Water should not be authorised unless: compatibility with the existing, authorised, proposed, or otherwise identified in consultations with Irish Water activity, can be satisfactorily demonstrated, /

the proposal is clearly of strategic or national importance.

Where possible, proposals that may affect Irish Water activities or plans should engage with Irish Water at the earliest available opportunity. Compatibility should be achieved, in order of preference, through:

a. avoiding adverse impacts on those activities; and / or
b. minimising impacts where they cannot be avoided; and / or
c. mitigating impacts where they cannot be minimised.

Policy Response

As has been previously stated above, the proposed surveys are required to characterise the hydrographic conditions of Clew, Newport and Westport Bay to help inform decisions on the upgrade of Newport WWTP, and specifically the location of a new outfall. The proposed upgrades to the WWTP will address Schedule C: Specified Improvement Programme within the Wastewater Discharge Licence for Newport WWTP (Licence Register No: D0224-01) requiring increased organic and hydraulic treatment capacity. The proposed surveys are directly linked to providing improved water quality within the Bay and ensuring that the economic and social development of Newport is not impeded. The proposed surveys thus demonstrate compliance and consistency with sectoral policies for wastewater treatment and disposal.

3.4 Conclusion

This document describes the compliance and consistency of the proposed surveys for the proposed upgrade of Newport WWTP against the requirements of the National Marine Planning Framework.

The above statements of consistency (policy responses) collectively conclude that the proposed surveys are fully compliant and consistent with the relevant overarching marine planning policies and sectoral marine planning policies and objectives of the National Marine Planning Framework.

4 Assessment of Impacts

4.1 Introduction

This chapter provides an assessment of the relevant environmental topics, which are listed within the Applicant Technical Guidance Note issued by the Maritime Area Regulatory Authority[1], to understand what impacts, if any, will occur as a result of the proposed maritime usage.

4.2 Land & Soils

The spatial extent of all bed mounted survey equipment required for the survey activities is minimal. There will be no greater impact than typical anchoring activities undertaken in the Bay as there will be no deployment of intrusive survey equipment and no penetration below the sand/mud substrates. The ADCPs will use a sinker weight and be deployed from a boat; tidal gauges will be affixed to piers and the remainder will be deployed or controlled from boats, or remotely controlled/un-manned drones. The survey activities are temporary in duration and as such there is no negative or adverse impact on the sand and mud substrates within the licence area.

4.3 Water

There will be no adverse water quality impacts predicted as a result of the survey activities, the dye to be utilised in the microbial dye tracing survey, Rhodamine WT, has be chosen due to its low environmental impact. The dye tracing survey will be carried out with dye concentrations below the maximum allowable concentration of >910ug/l, as stated in Section 6.2 of the Supporting Information for the Screening for Appropriate Assessment report (SISAA). The use of the stated concentrations, or below, does not have any significant effects on fish, crustaceans or algae. Similarly, there is no significant impact to humans or marine mammals upon use of the prescribed concentrations.

4.4 Biodiversity

The proposed licence boundary overlaps with Clew Bay Complex Special Area of Conservation (SAC) (site code: 001482) and West Connacht Coast SAC (site code: 002998). There are no Special Protection Areas which overlap with the proposed licence boundary. There are no National Heritage Areas (NHA) within the proposed survey area, however, the boundary of Clew Bay Complex Special Area of Conservation is shared with the boundary of the proposed NHA – Clew Bay Complex. There are no RAMSAR sites which overlap with the proposed licence boundary.

A SISAA report has been prepared for the licence application pursuant to Article 6(3) of the Habitats Directive. It identifies two Special Protection Areas located in the Zone of Influence of the licence boundary, Clare Island SPA (site code: 004136) and Owenduff/Nephin Complex SPA (site code: 004212), while a total of seven SAC's are located in the Zone of Influence of the licence boundary:

- Clew Bay Complex SAC (Site code: 001482)
- West Connacht Coast SAC (Site code: 002998)
- Corraun Plateau SAC (Site code: 000485)

[1] https://www.maritimeregulator.ie/wp-content/uploads/2024/02/2024-02-29-Technical-Guidance-V5-1.pdf

- Oldhead Wood SAC (Site code: 002144)
- Owenduff/Nephin Complex SAC (Site code 000532)
- Newport River SAC (Site code: 002144)
- Clare Island Cliffs SAC (Site code: 002243)

The sources of potential impacts from the deployment or operation of the marine survey equipment can be categorised into three main groupings;

- physical disturbance to Annex I benthic subtidal communities / Annex I coastal habitats
- physical disturbance to marine mammal species
- noise disturbance from current or MBES operation to marine mammal species

The physical disturbance to marine benthic communities / coastal habitats results from the deployment of bed-mounted current meters or tide gauges. There are two current meters located within the Clew Bay Complex SAC – A4 and A5, which overlap with a qualifying interest (QI) of the SAC – *large shallow inlets and bays* [1160]. It also coincides with the subtidal benthic community of sandy mud with polychaetes and bivalve community complex. The weather station W2 and tide gauges T4, T5 and T6 are located within Clew Bay Complex SAC and close to several QIs. The assessment concluded that the small spatial extent occupied by the current meters poses no effects are likely to occur to the coastal habitat or QIs of the SACs within which they are located. An individual current meter will temporarily occupy, at most, an area of 2sqm, within the QI '*large shallow inlets and bays'* which measures a total area of 10,198 hectares. Similarly, no effect is likely to occur as a result of the deployment or operation of the tide gauges, weather station or other survey equipment as they will not disrupt a sensitive coastal habitat or QI of the SACs in which they are located.

The physical disturbance of Annex II species has been identified to potentially occur via collision risk from tide gauges, pontoons, deployment vessel, hydro-drone, ARCBoat or MBES equipment. Microbial dye tracing was also identified as a potential impact mechanism resulting in physical disturbance. Due to the highly mobile nature of marine mammals the risk of collision from any type of survey equipment was assessed as not significant due to their relatively small size, or in the case of hydro-drone, deployment vessel, ARCBoat and MBES also their relatively slow speed and infrequent deployment.

As stated in Section 4.3 above, the use of the fluorescent dye during the dye tracing survey at the prescribed concentrations will not result in any significant effects.

The risk to avifauna was identified through the potential for collision risk from aerial drone activity; however, due to temporary nature and overall short flight duration of aerial drones it was concluded that there are no significant effects to bird species which are listed as special conservation interests of Clare Island SPA or Owenduff/Nephin Complex SPA.

The noise disturbance from the use of current meters and MBES will not result in any significant effects on marine mammals as sound emitted from these survey equipment items are at frequencies outside the hearing threshold ranges of seals and cetaceans.

In conclusion, the SISAA stated that that the proposed marine surveys do not pose a risk of significantly affecting (either directly or indirectly) the conservation features of any European site within the Zone of Influence, either alone or in combination with other plans or projects, and there is no reasonable scientific doubt in relation to this conclusion.

An Annex IV Species report has been prepared for the licence application to determine any possible impacts to animal species listed under Annex IV(a) of the Habitats Directive. Within the Zone of Influence of the proposed marine surveys, there are four SACs with Annex IV animal species as conservation features:

- West Connacht Coast SAC (Site code: 002998) (<0.1km from the Project area) - Common Bottlenose Dolphin (Tursiops truncatus) [1349] and Harbour porpoise (Phocoena phocena) [1351].
- Clew Bay Complex SAC (Site code: 001482) (within the Project area) – Otter (Lutra lutra) [1355].
- Mweelrea/Sheeffry/Erriff Complex SAC (Site code: 001932) (7.2km south of Project area)– Otter (Lutra lutra) [1355].
- Owenduff/Nephin Complex SAC (Site code: 00534) (4.5km north of Project area)– Otter (Lutra lutra) [1355].

Other marine mammal species under Annex IV of the Habitats Directive include:

- Short-beaked common dolphin (Delphinus delphis)
- Leatherback turtle (Dermochelys coriacea)
- Loggerhead turtle (Caretta caretta)

These species are not listed as QIs for any of the SACs located in the Zone of Influence, however, they are known for their foraging range which makes them a potential species to occur in the Project area.

Other species not included within Annex IV are also assessed, as these species may have foraging ranges which encompasses the licence boundary. The species included in this section are:

- Harbour seal (Phoca vitulina) [1365]
- Grey seal (Halichoerus grypus) [1364]
- Basking shark (Cetorhinus maximus)

The impact mechanisms identified, which may potentially impact Annex IV species includes, physical disturbance, collision risk and noise disturbance from the deployment and operation of the survey equipment.

Due to the limited spatial extent of the survey equipment to be deployed across the licence area and the limited duration of the survey works there are no significant effects identified to any Annex IV or non-Annex IV species, as listed above. There are no mitigation measures required.

Flora listed under the Flora (Protection) Order 2022 have potential to occur within the boundary of the licence area; however, their spatial extent will be limited due to the licence area being located on the seaward side of the high water mark. Any potential impacts are localised and temporary and may be as a result of the placement and removal of meteorological stations or river gauges. The metrological station W1 is proposed to be located in an agricultural field adjoining Roonagh Quay, which is actively grazed by livestock, similarly W2 is proposed to be located at Rosmore Point in an agricultural field also subject to livestock grazing. There are no significant or adverse impacts to flora as a result of the deployment or operation of the meteorological stations.

4.5 Fisheries and Aquaculture

Clew, Newport, and Westport Bay accounts for the largest number of licenced aquaculture sites in County Mayo. There are numerous aquaculture licences held within the Bay for various aquaculture species, including - Atlantic Salmon, Pacific Oyster, Manila Clam, Great Atlantic Scallop, Blue Mussel, European Lobster and seaweed. The proposed marine surveying will not impact any of the aquaculture sites within the survey area. The proposed types of surveys are common in Ireland and indeed similar surveying was completed prior to the development of

Newport wastewater treatment plant[2]. The surveying will be short in duration and will not be place within a licenced aquaculture area (as listed by the Department of Agriculture, Food and Marine); as such there will be no negative or adverse impact on any aquaculture area or fisheries activities.

4.6 Air Quality

There will be no air quality impacts arising due to the survey works, as the survey equipment no emissions to air. The use of vehicles and boats for the transport and deployment of the survey equipment is required, however emissions related to such vehicles are negligible, when considered in combination over the duration of the survey period.

4.7 Noise and Vibration

No vibration disturbance will result from the survey instruments which will be deployed. The impacts of noise have been considered in the accompanying Supporting Information for Screening for Appropriate Assessment (SISAA) due to the potential for acoustic masking which could potential occur. The most common current meters available on the market emit sound at frequencies typically between 300 kHz – 1200 kHz, while a MBES emits sound at a frequency of 500 kHz. The assessment concluded that the frequencies of sound emitted from the current meters or MBES is beyond the audible functional frequency for relevant cetaceans or pinnipeds (as well as otters, which are similarly assessed in terms of noise impacts as pinnipeds) as identified in Table 6.1 of the SISAA. Therefore, noise emissions will not be audible to these marine mammals and thus no potential pathway for interactions exists between the impact mechanism and the qualifying interests of the European sites. The assessment concluded that the effects are not considered to be significant.

4.8 Landscape/Seascape

The proposed survey activities and works are temporary and are of a similar nature to navigation aids in coastal waters around Ireland; therefore, there will be no impact on landscape or seascape as a result of the proposed surveying activities.

4.9 Traffic and Transport (including navigation)

There will be no traffic impacts on the local road network as a result of the proposed survey activities, as there will be negligible vehicular movements required for the deployment and removal of the survey instrumentation. One tide gauge – A2, is located in proximity to the ferry route for Roonagh Point - Clare Island. Consultation with the ferry company will be undertaken to ensure that any survey sample can be undertaken without impact on the ferry routes through the appropriate timing of the survey.

4.10 Cultural Heritage (including underwater archaeology)

There will be no impact to any identified cultural heritage assets within the survey area. The bed mounted equipment will not result in any greater impact on any potentially unidentified archaeological remains than would occur with typical anchoring.

4.11 Population and Human Health

There are no population or human health risks from the proposed survey activities.

[2] https://epawebapp.epa.ie/licences/lic_eDMS/090151b2801f5b71.pdf

4.12 Major Accidents and Disasters

The proposed maritime usage does not have any characteristics which would result in any major accident or disasters.

4.13 Climate

There will be no impacts to climate as a result of the proposed surveying activities.

4.14 Waste

There will be a negligible volume of waste produced as a result of the proposed survey activities. This is related to dye and microbial packing waste, which will be disposed of as per the packaging instructions and either recycled, or sent for disposal at a licenced waste facility.

4.15 Material Assets

There will be no risk to material assets due to the characteristics, nature and duration of the survey activities.

4.16 Interactions

There are minor interactions between ferry and aquaculture activities and the proposed maritime usage; however, the avoidance of surveying along the direct ferry route will be ensured through consultation with the ferry operator.

4.17 Summary of Mitigations

There is no mitigation proposed or deemed to be required due to the negligible impacts on the environment by the proposed survey activities.

5 Conclusions

This report on the Assessment of Impacts of the Maritime Usage has been prepared to support the Maritime Usage Licence (MUL) application by Uisce Éireann, for proposed marine modelling survey activities in Clew, Newport and Westport Bay. The MUL application relates to the need for marine modelling surveys, as an aid to developing a design for a new discharge outfall for a proposed upgraded and replacement wastewater treatment plant for the agglomeration of Newport.

The surveys will be temporary in duration and comprise bed mounted survey equipment and associated floatation components, which will be deployed or controlled from boats, or remotely controlled/un-manned drones. Maintenance of the equipment will be undertaken via boat/s and all equipment will be removed following the end of the survey period. The type of marine surveying which is the subject of this application are common in Irish coastal waters and have been subject to previous assessments of impacts, such that impacts associated with the proposed survey works can be readily predicted. Due to the low-intrusive nature and temporary duration of the proposed survey activities, there will be no significant, adverse or negative impacts likely to occur. As a result, no mitigation measures are required.

It has been identified that the EIA Directive is not applicable to the proposed maritime usage, as it is not a class of development, nor presents any characteristics of any class of development, listed in Annex I or II of the EIA Directive. This report also concludes that the proposed survey activities will not result in any negative impacts or impediment to the achievement of the conservation objectives of the WFD and MSFD.

Appendices

A. Screening for Environmental Impact Assessment 21

A. Screening for Environmental Impact Assessment

MOTT MACDONALD

Marine Modelling Study Newport

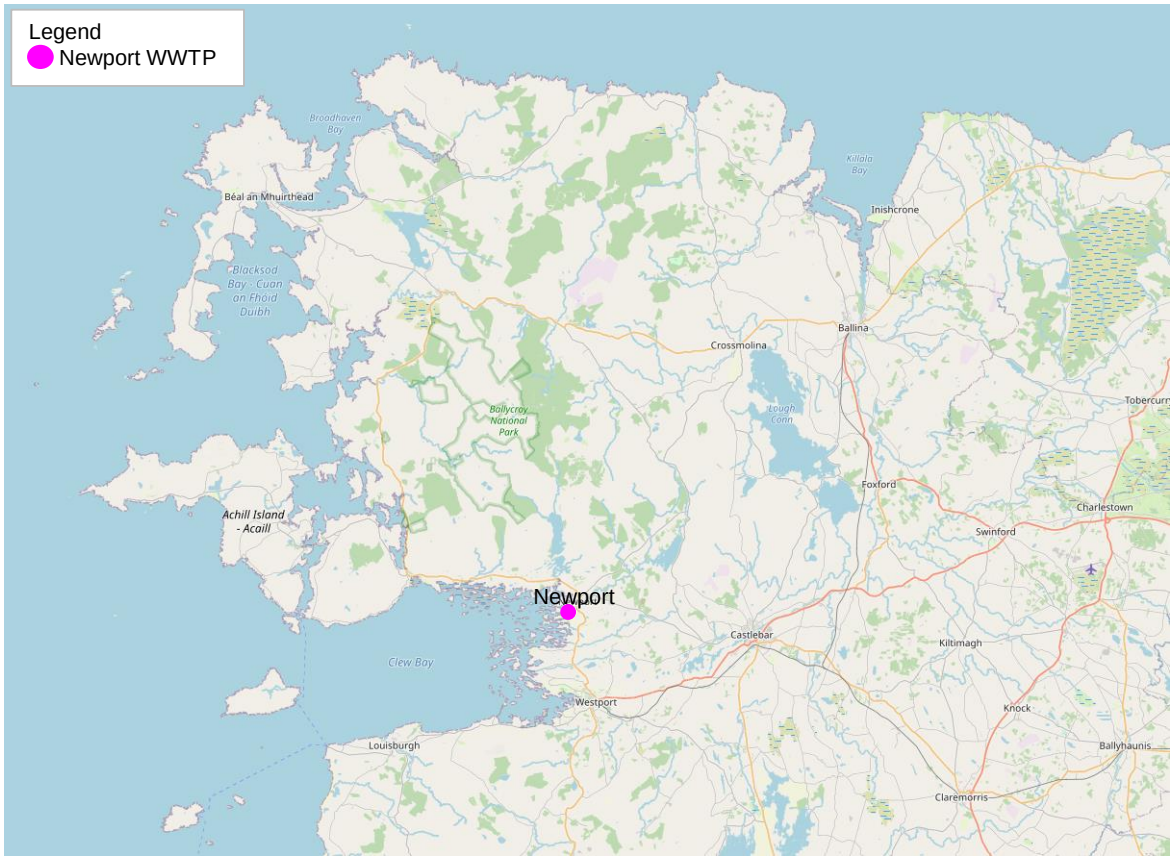
Screening for Environmental Impact Assessment

Project:	Marine Modelling Study in Newport Bay and Clew Bay, Co. Mayo		
Our reference:	229100414-MMD-New-00-RP-C-1002-P02		
Prepared by:	[redacted]	**Date:**	08.04.2024
Approved by:	[redacted]	**Checked by:**	[redacted]
Subject:	Screening for Environmental Impact Assessment		

1 Introduction

Mott MacDonald Ireland Limited (Mott MacDonald) has been appointed by Uisce Éireann to provide Technical Services to the Early Contractor Involvement (ECI) Wastewater Programme. Mott MacDonald has been tasked with assessing the requirements for environmental impact assessment (EIA) under the Planning and Development Regulations 2001, as amended, for proposed marine surveys within Newport Bay and Clew Bay, Newport, County Mayo. The proposed surveys are required to inform the location of a new outfall discharge for the proposed new Newport Wastewater Treatment Plant (WWTP) in County Mayo. The location of Newport WWTP is illustrated in Figure 1.1.

Figure 1.1: Location of Newport WWTP



Source: © OpenStreetMap Contributors

This screening report is undertaken to document the methodology employed to complete a non-statutory screening exercise as part of the purpose of obtaining a marine usage licence and thus to inform the view as to whether EIA is required. The question of whether EIA is required arises only in relation to projects which come within the scope of one or more of the project classes listed in Annex I or Annex II of the Directive 2011/92/EU, as amended by Directive 2014/52/EU (together the "EIA Directive") and/or the corresponding classes of project listed in Schedule 5, Parts 1 and 2 of the Planning and Development Regulations 2001, as amended. For the avoidance of doubt, projects which do not come within the scope of any of the listed projects, interpreted broadly, are not subject to any requirement for EIA, or screening for EIA, under the EIA Directive.

In respect of the requirements for a maritime usage licence under provisions of the Maritime Area Planning Act 2021 (as amended) (MAPA) Section 111(1) states that *"a licence shall not be granted for a Schedule 7 usage that requires an environmental impact statement"*. Furthermore, Section 117(5)(a) of MAPA states that *"the MARA shall, as soon as is practicable after it receives a licence application, carry out screening for environmental impact assessment in respect of the proposed maritime usage the subject of the application if it considers that it is necessary to do so after having regard to Schedules 5 and 7 to the Planning and Development Regulations 2001 (S.I. No. 600 of 2001)".*

1.1 Description of the Proposed Marine Modelling Surveys

The required marine modelling surveys are listed in Table 1.1 and their locations are illustrated in Figure 1.2 and Figure 1.3. These surveys will be undertaken for a minimum period of 35 days and will be required to record spring and neap tides. Meteorological stations and river flow gauges will remain in situ for a period of 12 months.

The surveys are not seasonally constrained, as spring and neap tides occur bi-monthly. The only land-based survey equipment will be the meteorological stations; these stations do not require any works to facilitate their placement on land as they are self-contained and preassembled units and will be temporarily fixed/staked to the ground. The remainder of the survey equipment is either drone operated, or comprising floating instrumentation deployed from a boat. The river or tidal gauges will be staked to the riverbed or seabed for a 12-month period. There are no other activities proposed or required to facilitate the surveys required, apart from these described herein. Following the completion of surveys, all survey equipment will be removed.

Table 1.1: Hydrodynamic and water quality surveys

Survey Type	Locations as identified in Figure 2.1	Description of Survey and survey equipment
Meteorological Station	W1 and W2	To aid the validation of data gathered in this survey two meteorological stations are proposed to be installed and operational prior to commencement of all surveys and shall remain operational until the recovery of all surveying equipment. The proposed locations for the survey meteorological stations are on land.
Tide Gauge data	T1 to T6	Six tidal gauges are proposed. The tidal gauges shall be installed prior to any hydrodynamic and water quality monitoring and not removed until completion of all other water-based surveys.
River Flow and Stage data	F1 to F4	Four flow gauges are proposed. The flow gauges shall be installed prior to any hydrodynamic and water quality monitoring and not removed until completion of all other water-based surveys. The gauges will be in place for 12 months. River water quality sampling will also take place at each of these locations.
Bathymetric data	Completed by a drone	It is recommended that a Light Detection and Ranging (LiDAR) survey covering shallow (<5m depth) areas during low tides is carried out to fill the bathymetry data gaps as shown on the dashed area in Figure 1.3. The LIDAR survey will be completed by a remotely controlled/un-manned drone, there will be no impact on land or water habitat.
Current/velocity data	A1 to A5	There is no current data available within the area of interest in Newport Bay and Clew Bay. It is recommended that current monitoring is undertaken using Acoustic Doppler Current Profile (ADCP) current meters to provide the necessary dataset for model calibration and verification purposes. A total of 5No. ADCPs are proposed within the offshore study extent shown in Figure 1.2.
Temperature and salinity data	A1 to A5	To aid model calibration and verification, both salinity data and temperature data is recommended to be collected to inform the decision-making process and to improve model robustness. Near-bed Temperature and Salinity sensors will be included in bed-mounted ADCP deployment. This may be supplemented by boat access to maintain the sensor during the survey period
Water quality data	Mounted buoys or remote-controlled boat access	There is limited water quality sampling data available adjacent to the outfall of the existing WWTP at Newport. To establish the baseline conditions, additional sampling will be necessary. Water quality sampling will be undertaken in Newport Bay and Clew Bay, as well as at the tidal limits of the three main contributing rivers flowing into the Bay(s). Sampling will be undertaken using pontoons preferably (e.g., sampling equipment mounted on buoys) or via a remotely controlled boat access (ARCBoat). An automatic sampler may be deployed to collect water samples or samples may be taken manually depending on available access.
Dye and microbial tracing	Deployed from a boat	Tracing data is valuable to understand the dispersion pattern of effluent and to aid conceptual model calibration and verification processes under different conditions (e.g., with and without wind). The tracer will be dispersed from a boat and drone surveys will be conducted in parallel with the dye releases to monitor the progression of the plume. A hydro-drone will also be deployed with a mounted GPS system to monitor the concentration of the plume in-situ and its development and variation over time.

Figure 1.2: Marine Survey Locations

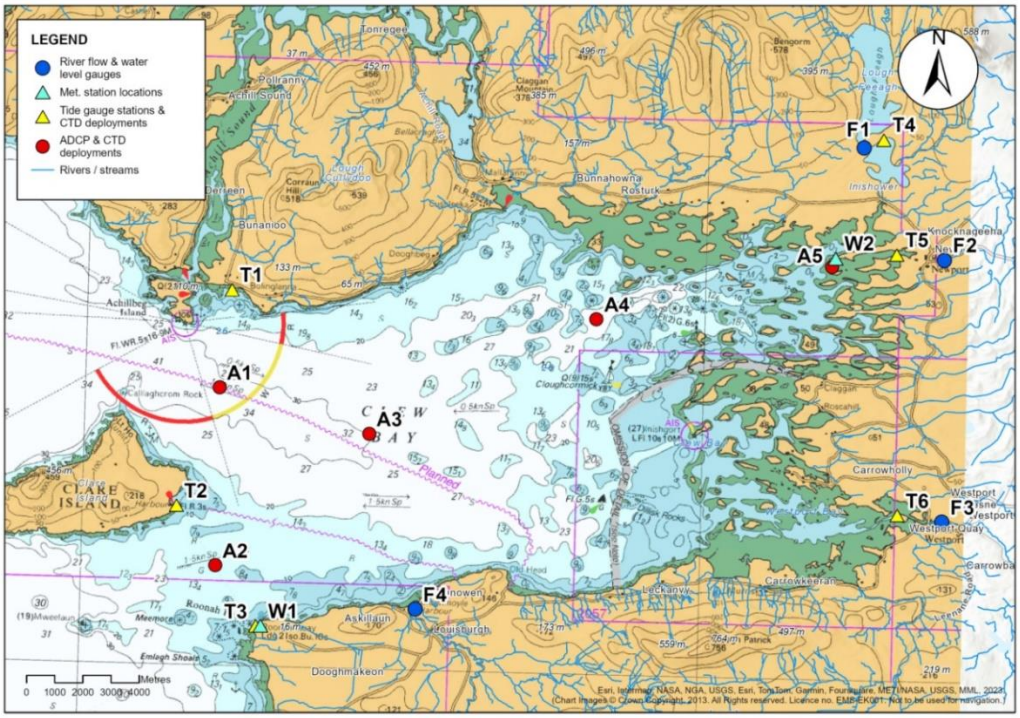


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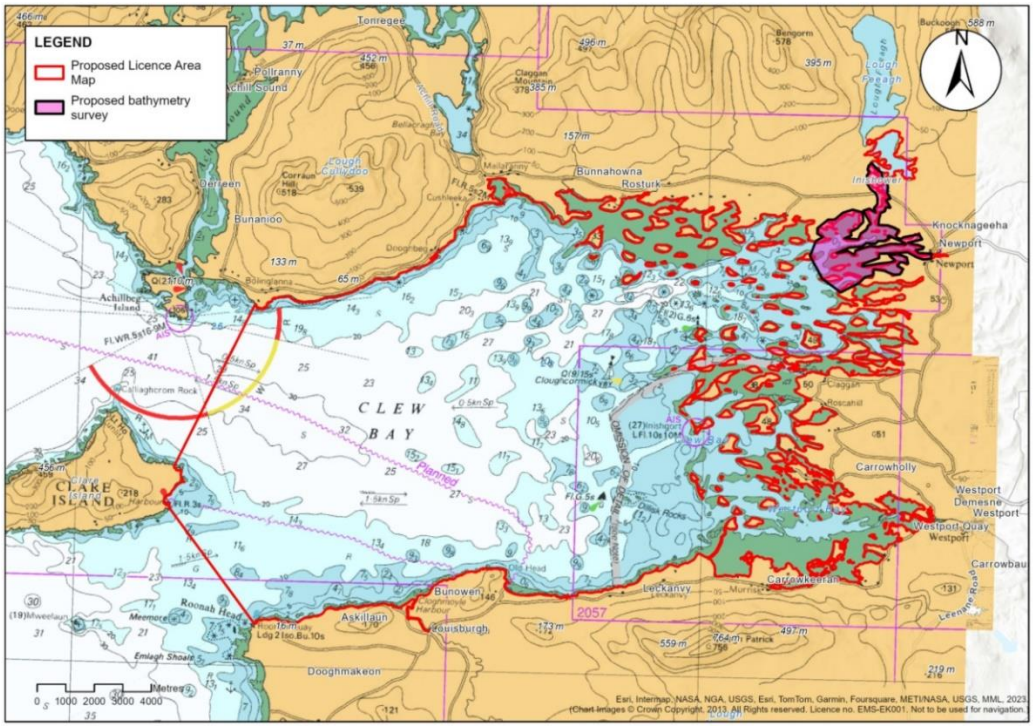
Figure 1.3: Proposed Licence and bathymetry survey areas



Source Admiralty Charts Image © British Crown and OceanWise, 2022. All rights reserved. License No: EMS-EK001-832944. Not to be used for navigation.

2 Legislative Requirements

The primary objective of the EIA Directive is to ensure a high level of protection of the environment and human health, through the establishment of minimum requirements for environmental impact assessment (EIA), prior to development consent being awarded, of public and private developments that are likely to have significant effects on the environment.

Pertinent to the proposed is the definition of a 'project' in the EIA Directive, which is stated in Article1(2)(a) as meaning:

"- the execution of construction works or of other installations or schemes

- other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources".

The European Commission published guidance "Interpretation of definition of project categories of annex I and II of the EIA Directive" (EC, 2015), states the following which is applicable to the proposed surveying activities, in relation to mobile and temporary installations:

"Even though mobile installations are not mentioned explicitly in the EIA Directive, the scope of the Directive also covers these as well as temporary installations. When mobile and/or temporary installations have the characteristics (and associated impacts) of project categories included in Annex I and II of the EIA Directive, they must be subject to its requirements".

The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) transposed the requirements of the 2014 EIA Directive (Directive 2014/52/EU) into existing Irish planning consent procedures, i.e. the Planning and Development Regulations 2001, as amended (P&D Regulations).

In determining the requirement for EIA, the Directive differentiates between the projects that always require EIA and those for which an EIA may be required. These projects are listed in Schedule 5 Part 1 and Part 2 of P&D Regulations.

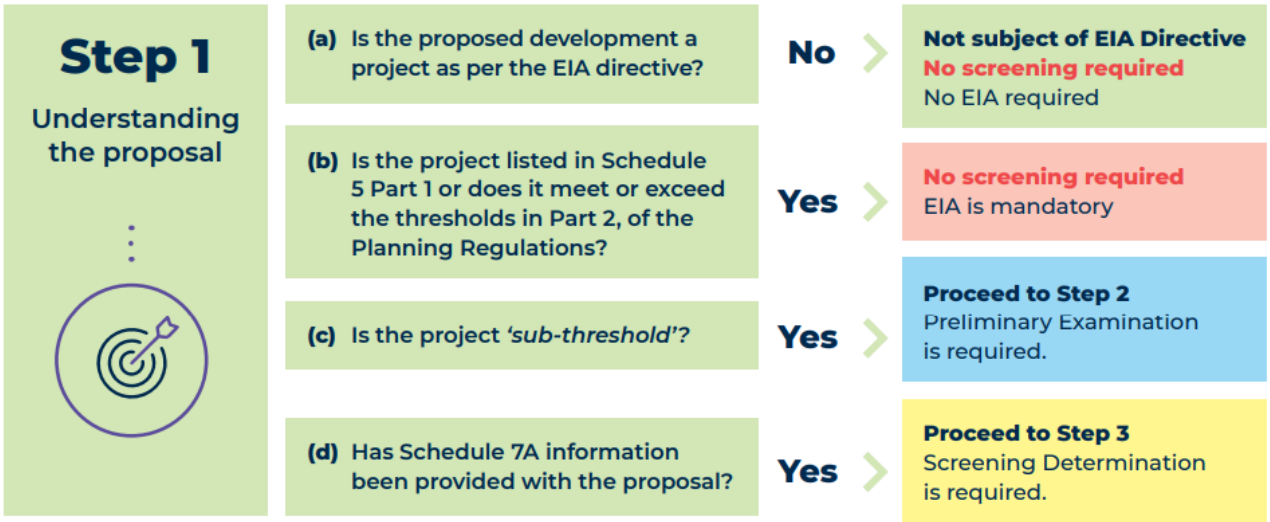
- Part 1 projects are projects which are considered as having significant effects on the environment and require a mandatory EIA; and
- Part 2 projects Part are those projects not included in Part 1, but which may require EIA where the proposed development is of a class specified in Part 2, and equals or exceeds the relevant thresholds; or where the proposed development would be of a class specified in Part 2, but does not equal or exceed the prescribed threshold in Part 2, yet it is concluded, determined or decided, that the proposed development is likely to have a significant effect on the environment.

As is the case under EU law, under national law the requirement to carry out EIA or screening for EIA, only arises in relation to projects which come within the scope of one or more classes of project listed in Parts 1 or 2 of Schedule 5.

EIA, or Schedule 7 or 7A Assessment (as per the criteria listed under the respective schedule in the Planning and Development Regulations 2001, as amended), is not required where a proposed development does not come within any of the classes of project listed in Schedule 5, interpreted broadly, irrespective of the size or location of the proposed development or whether it is considered likely to have a significant effect on the environment.

In June 2021 the Office of the Planning Regulator published Practice Note PN02 – Environmental Impact Assessment Screening, which provides a three-step approach to the process of screening for EIA. This report follows Step 1 of this process, as presented in Figure 2.1.

Figure 2.1: OPR Step 1 – Understanding the Proposal



Source: Extract from Office of the Planning Regulator OPR Practice Note PN02 – Environmental Impact Assessment Screening

3 Is the Proposal a project listed as per the EIA Directive

The OPR Practice Note highlights that understanding the nature of the proposal is an essential first step in considering whether EIA is required. Importantly, it states under Step 1(a) that 'Understanding the proposal', where a proposal(s) is/are *not a 'project',* the EIA Directive **does not apply**.

As stated in the EU Guidance (EU, 2015) on the interpretation of definitions within the EIA Directive, the proposed activities can be considered a 'project' under Article 1(2), even though the proposed survey activities are limited to mobile installations and are temporary in duration. However, project types listed in Annex I and II of the EIA Directive do not describe the proposed surveying. Additionally, the proposed surveying activities do not share any of the characteristics (and associated impacts) of project categories included in Annex I and II of the EIA Directive.

The proposed marine surveying activities are therefore not considered to be a project type or share the characteristics of any project description within Annex I or II of the EIA Directive or Schedule 5 of the P&D Regulations. The EIA Directive is not applicable to the proposed marine surveying and therefore it does not require EIA Screening or EIA to be completed.