

Maritime Usage Licensing and Planning Advisory Directorate			
Maritime Usage Licence Assessment Report			
To:	John Evans, Director	From:	Tom Manning Marine Analyst
Date:	03/03/2026	Maritime Usage Licence Application No:	MUL240003
Applicant:	Wexford County Council, Unit 7 Key West, Custom House Quay, Wexford, Y35 D458.		
Licence application received:	25/10/2024		
Types of maritime usage activities in accordance with Schedule 7 of the Maritime Area Planning Act 2021:	<i>3. Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000.</i>		
Location of proposed maritime usages:	River Barrow, New Ross to Barrow Bridge		
Environmental Impact Assessment (EIA) Screening	EIA not required (EIA Screening Form dated 12/02/26)		
1st request for additional information (RAI) issued:	Date: 25/11/2024	Response to 1 st RAI received	Date: 04/12/2024
2nd RAI issued:	Date: 02/02/2026	Response to 2 nd RAI received	Date: 11/02/2026
Notice requesting Natura Impact Statement (NIS) issued:	n/a	NIS received: n/a	Date received n/a
Public body consultation:	16/01/2026 - 18/02/2026	Observations from public bodies received:	8 no. observations

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1. BACKGROUND

Wexford County Council (the applicant) has applied to the Maritime Area Regulatory Authority (MARA) for a Maritime Usage Licence (MUL) to undertake marine environmental surveys for the purposes of site investigation, falling under Schedule 7(3) of the Maritime Area Planning Act 2021 as amended (the MAP Act). Wexford County Council is the authority for the port of New Ross and proposes to undertake maintenance dredging to improve navigation on the river Barrow below New Ross. The proposed site investigation is required to provide environmental data for use in relation to the assessment of potential dredging of locations along this section of the river.

2. LOCATION AND DESCRIPTION OF THE PROPOSED MARITIME USAGE

The proposed site location is a 16km section of the estuary of the River Barrow between New Ross and its confluence with the River Suir just below the Barrow Bridge.

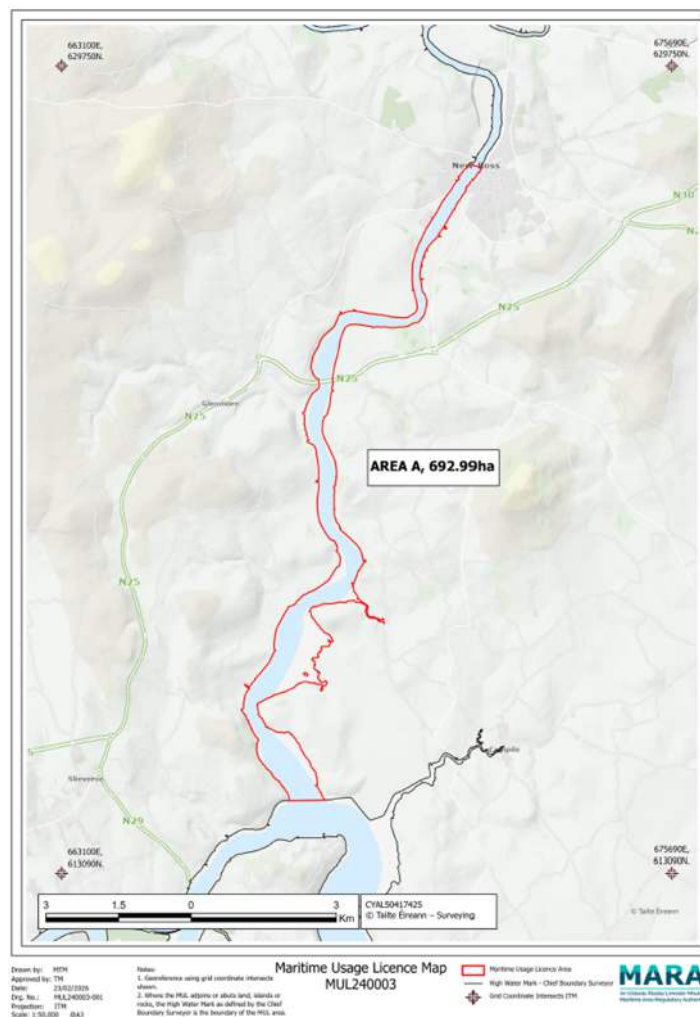


Figure 1. Site Location Map.

The proposed site investigation will consist of grab samples, sidescan sonar and a riverbed survey using towed video and stills imagery, as follows:

- 10 grab samples of estuary bed sediment and duplicates for contaminant analysis taken by a hand deployed 0.1m² Van Veen grab sampler.
- Benthic grab sampling using a 0.1m² Day Grab at a total of 26 sampling stations within 7 potential dredging locations from an 8.5m vessel platform.
- Subtidal video survey by towed camera to take videos and still images of the benthic habitat (30 videos/still images).
- Tide level measurements will be taken at two locations, tidal current measurements at three locations and turbidity/suspended sediment concentration measurements taken using Niskin bottles.
- Side-scan sonar and magnetometer surveys for archaeological purposes.

It is proposed that the in-water site investigation activity will take a total of 4 days. Tide gauges will be deployed for a period of 30 days and tidal current measurement equipment will be deployed for 14 days.

The proposed duration of the maritime usage licence is for 3 years.

1.1 BRIEF DESCRIPTION OF THE SITE CHARACTERISTICS

The subject site comprises tidal sections of the main river channel of the upper Barrow estuary with intertidal flats and substrates ranging from fine, silty mud to coarse sand with pebbles and stones.

3. ASSESSMENT

3.1 NATIONAL MARINE PLANNING FRAMEWORK (NMPF)

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

The proposed site investigation will inform the location of potential future maintenance dredging sites associated with access to the Port of New Ross. The application is in line with the Ports, Harbours and Shipping sectoral policy with an objective of sustainable development of the ports sector and provision of adequate capacity to meet present and future demand. Policy 7 of the NMPF on *Ports, Harbours and Shipping* states that proposals for maintenance dredging activity will be supported where there will be no significant adverse impact on marine activities or uses or the maritime area.

The proposed pre-dredging site investigation on the River Barrow would be in compliance with the NPWF as there will be no significant adverse impact on marine activities or uses or the maritime area, subject to the conditions attached.

Underwater Cultural Heritage.

The NMPF includes a policy on Heritage Assets, which supports the conservation of the historic environment and heritage assets in the underwater environment. The policy notes that proposals not specifically contributing to enhancing cultural heritage assets must demonstrate that they avoid, minimise or mitigate against harm to heritage assets.

It is noted that side-scan sonar and magnetometer survey methods are proposed to inform the locations of recorded shipwrecks within the subject site. Section 4.10 of the Assessment of Impacts of Marine Usage (AIMU) report on Cultural Heritage states that any potential archaeological sites discovered will be avoided and reported as part of the proposed site investigation. The site investigation would therefore mitigate against harm to potential heritage assets due to the low impact of the proposed survey design on the underwater cultural heritage.

It is recommended that a condition be included in the licence, requiring the holder to consult with the National Monuments Service prior to the commencement of the activities with regard to their requirements in relation to underwater cultural heritage.

3.2 ENVIRONMENTAL IMPACT ASSESSMENT DIRECTIVE (2014/52/EU) (EIA DIRECTIVE)

MARA carried out a screening for EIA of the proposed site investigation having considered Schedules 5 and 7 of the Planning and Development Regulations 2001. An EIA Screening Form was issued by MARA on 12/02/2026 and it was concluded that the activities do not fall within the scope of the EIA Directive and therefore an EIA is not required.

3.3 NATIONAL BIODIVERSITY ACTION PLAN (NBAP)

Ireland's 4th National Biodiversity Action Plan sets the national biodiversity agenda for the period 2023–2030. The objectives of the NBAP focus on the conservation and restoration of biodiversity. The proposed site investigation would not have any negative impact on biodiversity in the area and would not conflict with the provisions of the NBAP.

Objective 2 of the NBAP is to meet urgent conservation and restoration needs. Part of its focus is to elevate efforts to tackle invasive alien species. It is recommended that a condition be included in the licence to address the potential risks from invasive alien species as a result of the use of vessels and/or equipment for the proposed site investigation.

3.4 CLIMATE ACTION AND LOW CARBON DEVELOPMENT ACT 2015, AS AMENDED

Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended (the 'Climate Act') requires relevant bodies, including MARA, to perform their functions in so far as practicable in a manner consistent with the governance framework set out therein. The proposed site investigation will have no negative effect on climate.

3.5 WATER FRAMEWORK DIRECTIVE (2000/60/EC)

The Water Framework Directive (WFD) requires EU member states to protect and improve water quality in all waters to achieve at least good ecological status in inland surface waters, transitional waters, coastal waters and groundwater by 2027, at the latest. The proposed site investigation area is within the New Ross Port transitional waterbody. The New Ross Port waterbody is also a designated Heavily Modified Water Body due to the presence of port facilities.

The ecological status of transitional waterbodies is based on the assessment of biological quality elements (phytoplankton, benthic invertebrates, macroalgae, angiosperms) as well as supporting chemical (specific pollutants), physico-chemical (e.g. temperature, salinity, nutrients) and hydromorphological quality elements. For Heavily Modified Water Bodies the objective is to reach or maintain Good Ecological Potential. The status (2016–2021) of the New Ross Port waterbody is classed as ‘Moderate’ and it is ‘At Risk’ of failing to maintain this status. This classification is based on an increase in median winter phosphate concentrations. Agricultural activity is identified as a significant pressure impacting this waterbody, contributing to the "Moderate" ecological status of the waterbody.

The proposed site investigation would not result in any increase in phosphate concentrations within the New Ross Port waterbody or have any effect on water quality parameters in the proposed estuarine area. In addition, due to the short duration and low magnitude of the potential impacts, there would be no deterioration of the ecological status or potential of the New Ross Port waterbody as a result of the proposed site investigation. To ensure there is no impact on water quality from the activities, conditions are recommended in the Proposed Licence to ensure that vessels conform to Irish Certification Standards and that an oil spill emergency plan is place.

Table 3: Water Framework Directive waterbodies in relation to MUL application areas from the reporting period 2019–2024, including status, risk and significant pressures for the at-risk waterbodies¹.

Waterbody name & code	Waterbody type	Ecological status & Risk*	WFD significant pressures	Proposed activities within waterbody
New Ross Port IE_SE_100_0200	Transitional Waterbody	Moderate (At Risk)	Agriculture	The proposed site investigations will take place within this waterbody.

¹ From www.catchments.ie

*At risk means at risk of not achieving good status or potential by 2027; not at risk means no risk in maintaining current status.

3.6 MARINE STRATEGY FRAMEWORK DIRECTIVE (2008/56/EC)

The Marine Strategy Framework Directive (MSFD) sets the framework for European marine environmental policy. It aims to achieve Good Environmental Status (GES) for all marine waters in Europe and protect the resource base for marine related economic and social activities. The proposed site investigation location in the river Barrow lies outside ‘marine waters’ as defined in this Directive.

3.7 ANNEX IV SPECIES

Articles 12 and 13 of the Habitats Directive (92/43/EC) impose obligations on Member States to establish a system of strict protection for animal and plant species listed on Annex IV of the Directive. An Annex IV risk assessment document was submitted by the applicant with the original application on 29/10/2024. Due to the location and type of activities proposed there would be no adverse effects on Annex IV species caused by the proposed site investigation. In addition, the likelihood of any Annex IV species eg. otters or cetaceans being in the vicinity of the site investigation is low.

The applicant has confirmed that a derogation licence from the National Parks and Wildlife Service (NPWS) under the (Birds and Natural Habitats) Regulations 2011 as amended, is not required for the proposed site investigation.

3.8 APPROPRIATE ASSESSMENT SCREENING

The Habitats Directive (92/43/EC) and the Birds Directive (2009/147/EC) are transposed into Irish law by the European Communities (Birds and Natural Habitats) Regulations 2011, as amended (the Regulations) and by Part XAB of the Planning and Development Act 2000. The application was subject to screening for appropriate assessment (AA) by MARA in accordance with the Regulations. MARA made an Appropriate Assessment (AA) Screening Determination on 19 February 2026, which concluded that the proposed site investigation will not require Stage 2 AA as it could be excluded, on the basis of objective scientific information, that the proposed project, either individually or in-combination with other plans or projects, will have a significant effect on European sites.

4. CONSIDERATION OF OTHER MARITIME USERS

MARA has had regard to the rights of other users as set out in Section 3 (3)(b) of the MAP Act. Conditions are recommended in the Proposed Licence to ensure minimal disruption to other users, including publication of a marine notice, consultation with the Port of New Ross and ensuring third party property is not impacted.

5. SITE VISIT

No site visit was undertaken.

6. PUBLIC BODY CONSULTATION

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

<p>1. Observations summary - Department of Agriculture, Food & Marine.</p>

<p>Observations were received on 18/02/2026 from the Department of Agriculture, Food & Marine, which stated that there are recorded fishing operations, spawning and nursery grounds, licensed aquaculture sites and Shellfish Water Directive Areas near the proposed site investigation area. It was noted that considering the short nature and small area of the proposed site investigation there would be no impact on fishing activities, fish biology or aquaculture.</p>

MARA Response:

There is an aquaculture site (1.3km south); Horse mackerel nursery (4.7km south); Cod nursery (4.7km south) and Herring spawning site (18km south); however due to the location and short duration and low magnitude of the potential impacts, there would be no impact on any spawning and nursery grounds or licensed aquaculture sites. In addition there would be no potential impact on mapped designated Shellfish Water Directive Areas located at the southern extent of the proposed site investigation. Conditions are recommended in the Proposed Licence to ensure minimal disruption to other users, including publication of a marine notice.

<p>2. Observations summary – The Marine Institute</p>
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<p>Observations were received on 18/02/2026 from the Marine Institute, which noted that spawning and nursery grounds, fishing, licensed aquaculture sites and Shellfish Water Directive Areas are located near the proposed site investigation area, however considering the short nature and small area of the proposed operations, survey operations would not interfere with fishing activities, fish biology or aquaculture.</p>
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MARA response:

There is an aquaculture site (1.3km south); Horse mackerel nursery (4.7km south); Cod nursery (4.7km south) and Herring spawning site (18km south); however due to the location and short duration and low magnitude of the potential impacts, there would be no impact on

any spawning and nursery grounds or licensed aquaculture sites. In addition there would be no potential impact on mapped designated Shellfish Water Directive Areas located at the southern extent of the proposed site investigation. Conditions are recommended in the Proposed Licence to ensure minimal disruption to other users, including publication of a marine notice

3. Observations summary – Bord Iascaigh Mhara

Observations were received on 12/02/2026 & 18/02/2026 from Bord Iascaigh Mhara, which advised that commencement dates of the proposed activity should be indicated through Marine Notices and acknowledged minimal impact on any downstream fisheries and aquaculture due to the short-term nature of the survey works.

MARA response:

Conditions are recommended in the Proposed Licence to ensure minimal disruption to other users, including publication of a marine notice.

4. Observations summary – Department of Transport (Marine Survey Office)

Observations were received on 19/01/2026 from the MSO, stating no objection to the proposed site investigation activities from a navigational safety perspective.

The Department of Transport (Marine Survey Office) recommended the publication of a local notice to mariners through New Ross Port and that any hazards to safe navigation are made identifiable to mariners operating in the proposed site investigation area and that all measures are taken for the duration of any on-site activity to ensure that the safety of navigation is maintained.

MARA response:

Conditions are recommended in the Proposed Licence to ensure minimal disruption to other users, including publication of a marine notice in consultation with the MSO.

5. Observations summary – Commissioner for Irish Lights

Observations were received on 06/02/2026 from the Commissioner for Irish Lights, which advised that any requirement arise for marine aids to navigation would require a Statutory Consent from Irish Lights via Wexford County Council as the Local Lighthouse Authority for example temporary removal of existing channel buoyage to facilitate surveys.

MARA response:

Proposed Licence includes a condition (3.4) stating that the licence does not negate the Holder's statutory obligations or requirements under any other Law.

6. Observations summary – Geological Survey of Ireland

Observations were received on 13/02/2026 from Geological Survey of Ireland, which recommended using their national data sets when conducting the site investigation planning.

MARA response:

Observations acknowledged.

7. Observations summary – Development Applications Unit of the National Monuments Service & Dept Housing

Observations were received on 16/02/2026 from the Development Applications Unit of the National Monuments Service & Dept Housing, which provided advice under the headings of Nature Conservation and Underwater Archaeology. The advice received for Nature Conservation confirmed that the proposed site investigation is not likely to give rise to significant effects on the conservation objectives of Natura 2000 sites.

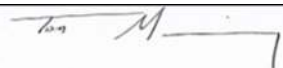
The advice received in relation to potential underwater archaeology requested the appointment of a project archaeologist, Underwater Archaeological Impact Assessment, archaeological report describing the results of the works and the submission of a protocol for archaeological discoveries.

MARA response:

The advice received in relation to the potential underwater archaeology would require consultation to take place between Wexford County Council and the Development Applications Unit of the National Monuments Service prior to the commencement of the Permitted Maritime Usage (see condition 18 of Proposed Licence).

7. RECOMMENDATION

Having considered the information submitted in support of the application, I recommend that a Maritime Usage Licence in accordance with Section 119 of the Maritime Area Planning Act, 2021, as amended, be granted to Wexford County Council, Unit 7 Key West, Custom House Quay, Wexford, Y35 D458, for Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000, subject to the conditions in the Proposed License.

Signed:	
Prepared by:	Tom Manning Marine Analyst
Date:	25/02/2026

8. Approval

Signed:	
Approved by:	John Evans Director of Maritime Usage Licensing
Date:	03/03/2026