

21/10/2025

Our Ref: 20745/RC/21102025

Maritime Area Regulatory Agency
2nd Floor,
Menapia House,
Drinagh Business Park,
Drinagh,
Wexford,
Y35RF29.

RE: UISCE EIREANN

MARITIME USAGE LICENCE APPLICATION REFERENCE: MUL240012

Dear Ms Staunton,

We refer to your correspondence dated 23/09/2025 regarding the above-referenced Maritime Usage Licence application. We note the request for additional information under Section 117(3) of the Maritime Area Planning Act 2021 and have provided a respond to each of the points raised below.

1. Derogation Question

Uisce Eireann can confirm that an application for a derogation under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended is not required given that Annex IV populations will not suffer loss and that there will be no deterioration to their breeding or resting places, and as such these works are compliant with Regulation 51 and 52 (see findings set out in the submitted Annex IV Species Risk Assessment and Natura Impact Statement).

This approach aligns with the four-stage process set out in the National Parks & Wildlife Service Guidance on the Strict Protection of Certain Animal and Plant Species under the Habitats Directive in Ireland (2021), namely Stage 3 - Examination of Impacts and Satisfactory Alternatives, which states: If a suitable alternative is found which ensures that the local population does not suffer loss and that there is no deterioration to the breeding or resting places, then the works are compliant with Regulation 51 and 52. The inclusion of NPWS (2014) mitigation guidelines in the project design, which primarily involves the employment of an MMO, are to ensure no harbour porpoise or dolphins occur within an agreed mitigation zone during the start of multibeam and single beam surveys. This will result in no significant impacts on cetaceans and marine turtles.

2. LiDAR and GPS Rover Bathymetric Data

The locations where additional bathymetric data may be required is outlined in the AIMU (i.e. Intertidal areas within MUL Area A, B, C, E). Reference to all means of data collection to be adopted was included in the application to provide context and illustrate that all efforts are being made to minimise vessel based surveying.

GPS Rover surveys will be limited to terrestrial sites not on the foreshore, and therefore not considered relevant under the MUL application. Similarly LiDAR activities will be undertaken



in the air and not in the Maritime Area. Uisce Éireann note that in line with the definition of the "Maritime Area" as set out in the Maritime Area Planning Act 2021 and the "Foreshore" as set out in the Planning and Development and Foreshore (Amendment) Act 2022, GPS rover surveys and LiDAR activities are taking place outside the Maritime Area. Reference to these activities have been included in documentation as they form part of the overall study monitoring campaign, however Uisce Éireann is not seeking consent for GPS Rover or LiDAR activities from MARA.

Uisce Éireann consider LiDAR and GPS rover surveys to be passive and observational in nature in line with MARA Circular MP01/2025.

3. Installation of Galvanised Steel Poles for Tidal Gauges

The specific methodology to be employed cannot be confirmed at this time, however the most intrusive approach is likely to be comprised of the following

1. Identify suitable and secure location at the pier.
2. Using a cordless drill, attach a mounting bracket and galvanised steel pole to the pier.
3. Secure cables and sensor inside pole.

The mounting of each gauge is envisaged to take no more than an hour, with the most intrusive element (drilling to attach mounting to pier) to take a matter of minutes. The indicative locations for the proposed 4no tidal gauges are outlined in the AIMU, namely Sligo Port beside Sligo WwTP, Killybegs Harbour beside Killybegs WwTP, Donegal Town beside the Pier pump station, and Killala bay in the vicinity Ballina WwTP discharge.



Figure 1. Indicative Location of Killara Bay Tide Gauge at Ballina



Figure 2 Indicative Location of Sligo Bay Tide Gauge at Sligo Port and Sligo WwTP



Figure 3 Indicative Location of Donegal Bay Tide Gauge at Donegal Pier Pump Station



Figure 4. Indicative Location of Killybegs Tide Gauge

These locations were utilised in the assessment of impact on habitats contained in the submissions provided.

4. Marine Mammals – Seal Area Breakdown

See updated maps below which have also been attached to the response. The seal area haul out sites are derived from the Site Specific Conservation Objective (SSCO) data which is publicly available for download from the NPWS [here](#). A shapefile containing the seal haul out areas has been attached to this response (see "Activity" column in the associated attribute table).

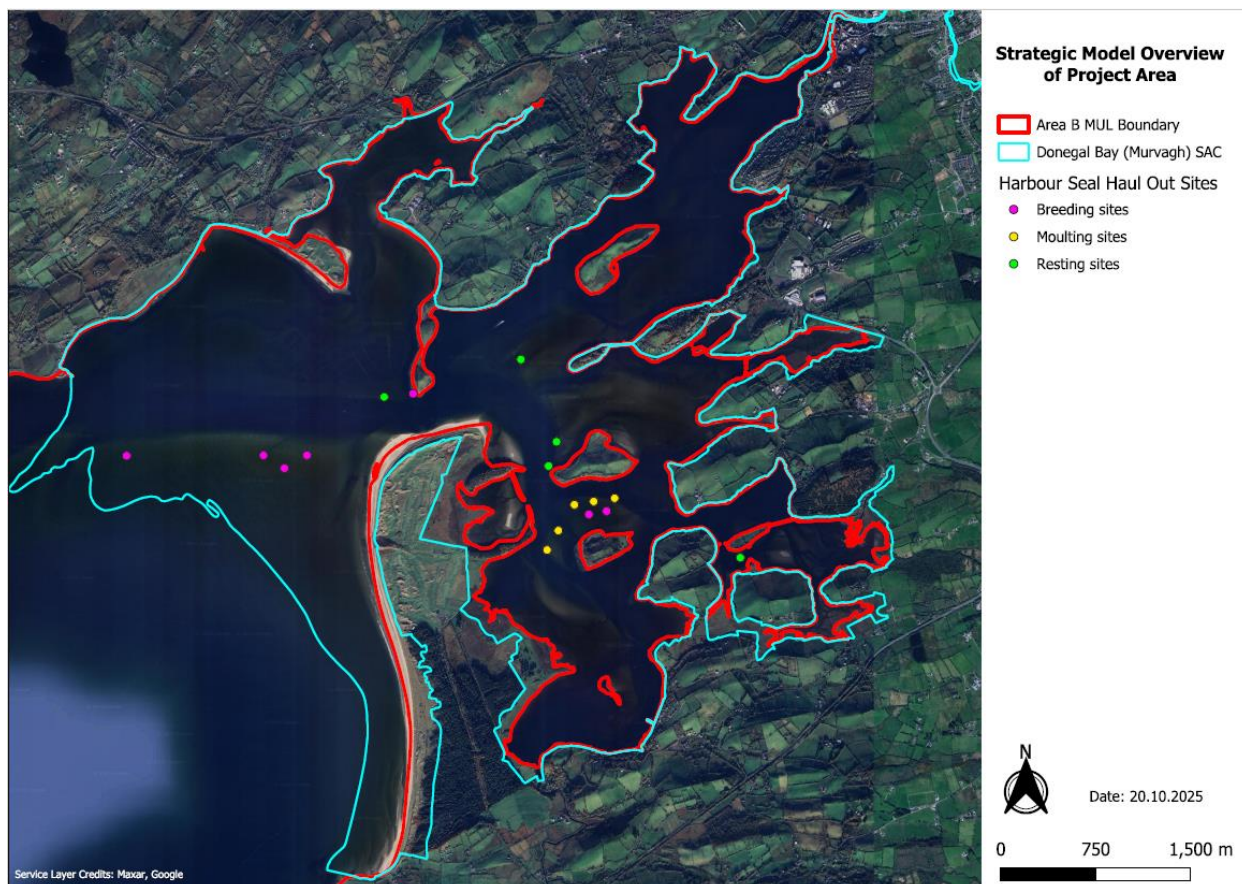


Figure 5. Area B. Harbour seal haul out sites.



Figure 6. Area D (North) Harbour seal haul out sites.

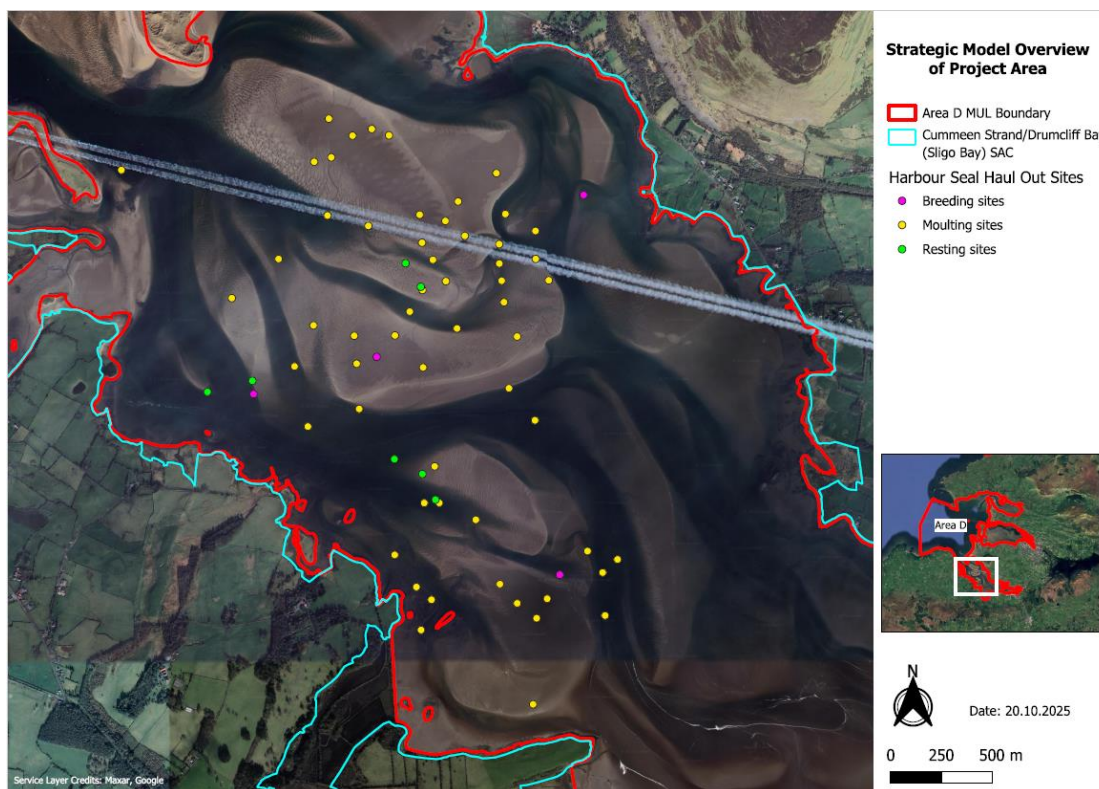


Figure 7. Area D (South) Harbour seal haul out sites.

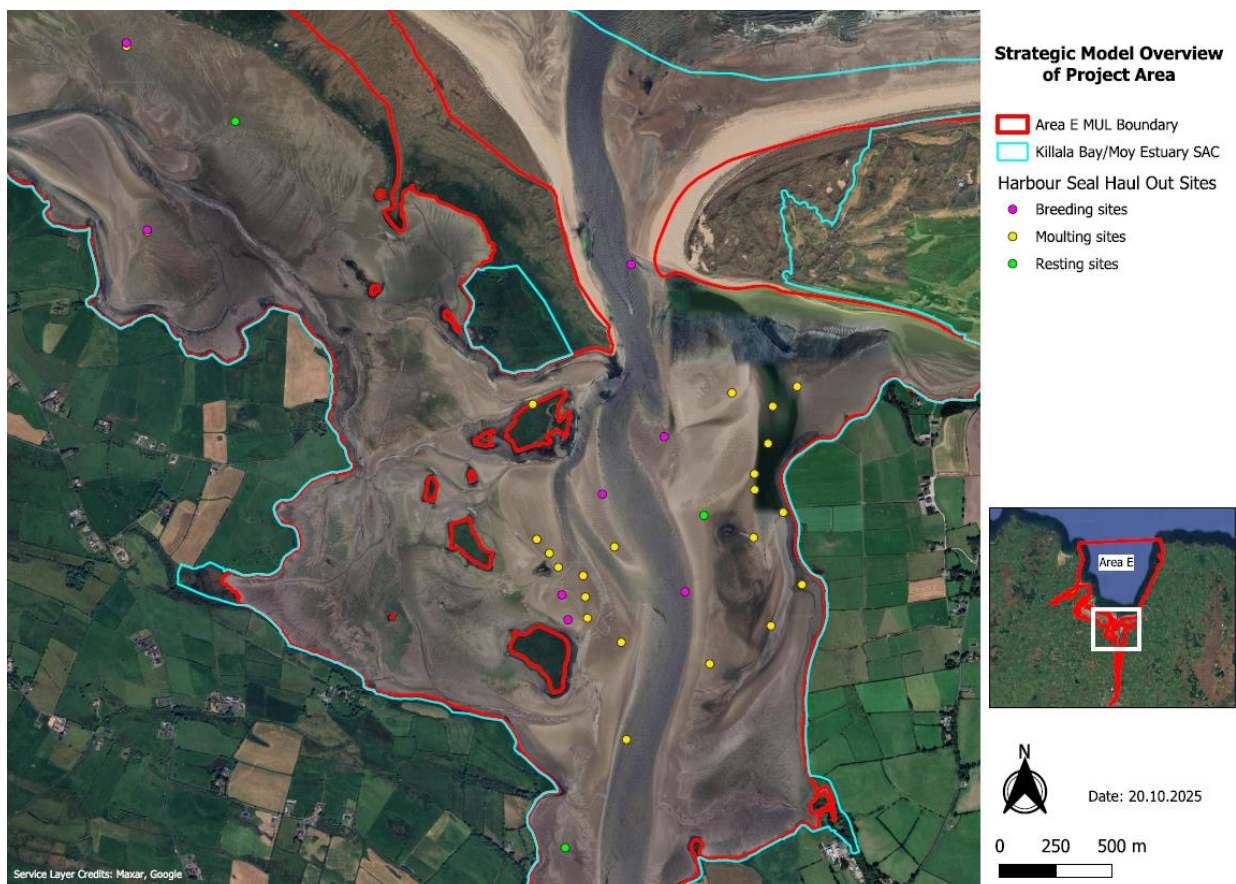


Figure 8. Area E Harbour seal haul out sites.

5. Vessels – Planned Launch Locations

These details cannot be confirmed at this time. Such details will be confirmed in advance of survey execution, dependent on sea state, meteorological, and site specific conditions.

Yours faithfully,



Robbie Clarke
for **NICHOLAS O'DWYER LTD.**
on behalf of Client (Uisce Éireann)