

MARA Licensing
Via email

MUL ref: MUL240033,

29th October 2025

Re: Uisce Éireann response to RFI dated 06.10.2025 for MUL240033

Uisce Éireann
Teach Colvill
24-26 Sráid Thalbóid
Baile Átha Cliath 1
D01 NP86
Éire

Uisce Éireann
Colvill House
24-26 Talbot Street
Dublin 1
D01 NP86
Ireland

T: +353 1 89 25000
F: +353 1 89 25001
www.water.ie

Dear MARA,

Under Section 117(3) of the Maritime Area Planning Act MARA have sought further information regarding MUL230033 – Marine Surveys in Galway/Clare as follows:

- “With reference to the strict protection of species listed under Annex IV of the Habitats Directive (92/43/EEC), confirm if you are required to apply for a derogation under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended. If yes, provide details of the application submitted, including the NPWS Derogation Number.”
- confirm which Schedule 7 activity Uisce Eireann are applying for – 7(2) or 7(3).

Uisce Éireann wish to confirm the following:

NPWS Derogation

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 Natura Impact Statement submitted as part of the MUL application references the mitigation measures outlined in the NPWS 2014 document “*Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters*”. A Marine Mammal Observer (MMO) will be deployed to confirm the absence of protected species within the

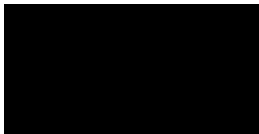
agreed exclusion zones before acoustic survey start-up. These measures will ensure that the activities carried out pose no significant risk to cetaceans and pinnipeds.

Relevant Usage under Schedule 7 of MAP Act

Under Schedule 7 of the Maritime Planning Act 2021 as amended, the proposed activities fall under Schedule 7(3) - Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000.

If you have any further queries please do not hesitate to contact Uisce Éireann or our agents AECOM.

Yours sincerely,



Ronan Kane
Environmental Modelling Manager