

## Maritime Usage Licensing and Planning Advisory Directorate

### Maritime Usage Licence Assessment Report

<b>To:</b>	John Evans Director	<b>From:</b>	Maria O Connell Marine Analyst
<b>Date:</b>	25/03/2026	<b>Maritime Usage Licence Application No:</b>	MUL240033
<b>Applicant:</b>	Uisce Éireann, Colvill House, 24-26 Talbot Street, Dublin 1		
<b>Licence application received:</b>	19/12/2024		
<b>Types of maritime usage activities in accordance with Schedule 7 of the Maritime Area Planning Act 2021:</b>	<i>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.</i>		
<b>Location of proposed maritime usages:</b>	Galway Bay and coastal areas extending northwest to Roundstone, County Galway and southwest to Loop Head Lighthouse, County Clare.		
<b>Environmental Impact Assessment (EIA) Screening</b>	EIA not required (EIA Screening Form dated 01/09/2025)		
<b>1<sup>st</sup> request for additional information (RAI) issued:</b>	Date: 14/01/2025	<b>Response to 1<sup>st</sup> RAI received</b>	Date 31/01/2025
<b>2<sup>nd</sup> RAI issued:</b>	Date: 06/10/2025	<b>Response to 2<sup>nd</sup> RAI received</b>	Date 29/10/2025
<b>Notice requesting Natura Impact Statement (NIS) issued:</b>	N/A	<b>NIS received:</b>	31/01/2025
<b>Public body consultation:</b>	13/10/2025 to 12/11/2025	<b>Observations from public bodies received:</b>	Ten
<b>Public consultation:</b>	20/11/2025 to 21/12/2025	<b>Submissions from the public received:</b>	One

## Contents

1.	Background.....	3
2.	Location and Description of the Proposed Maritime Usage.....	3
3.	Assessment.....	6
3.1	National Marine Planning Framework (NMPF) .....	6
3.2	Environmental Impact Assessment Directive (2014/52/EU) (EIA Directive).....	8
3.3	National Biodiversity Action Plan (NBAP) .....	8
3.4	Climate Action and Low Carbon Development Act 2015, as amended.....	8
3.5	Water Framework Directive (2000/60/EC).....	9
3.6	Marine Strategy Framework Directive (2008/56/EC) .....	13
3.7	Annex IV species .....	15
3.8	Appropriate Assessment.....	16
3.8.1	Assessment of Likely/Potential Impacts on European Sites .....	17
3.8.2	Assessment of In-combination effects .....	18
3.8.3	Identification of Plans or Projects that could act in combination.....	19
3.8.4	In-Combination Effects Assessment conclusion.....	21
3.8.5	Mitigation measures .....	21
3.8.6	Residual effects.....	21
3.8.7	Assessment of Transboundary effects.....	22
3.8.8	Appropriate assessment conclusion .....	22
4.	Consideration of other maritime users.....	22
5.	Site visit .....	23
6.	Public body consultation .....	23
7.	Public consultation .....	28
8.	Recommendation .....	30
9.	Approval and AA Determination .....	31
	Appendix 1 .....	32

## 1. Background

Uisce Éireann (the applicant) has applied to the Maritime Area Regulatory Authority (MARA) for a Maritime Usage Licence (MUL) to undertake marine environmental surveys for the purpose of site investigation, falling under Schedule 7(3) of the Maritime Area Planning Act 2021 as amended (the MAP Act). This maritime usage application proposes site investigations involving the deployment, operation and retrieval of acoustic doppler current profilers (ADCP), bathymetric surveys, tidal gauges and water quality assessments in the maritime area adjacent to the coast of counties Clare and Galway. Uisce Éireann is Ireland's national regulated water utility responsible for the delivery of secure, safe, and sustainable water services for Ireland. The objective of the proposed maritime usage is to obtain data that will enable calibration of strategic hydrodynamic modelling to support the appropriate design and consenting requirements for future wastewater services in the areas concerned, additionally the proposal aims to enable compliance with EU Directives and sustainable development.

### Application Documents submitted

A number of documents were submitted by the applicant as part of their application for a Maritime Usage Licence (MUL). The relevant documents submitted by the applicant include but are not limited to the MUL application form, the Assessment of Impacts of the Maritime Usage Report, the Natura Impact Statement (NIS) report and the Annex IV species report. All submitted documents are available on the MARA website and informed the contents of this report.

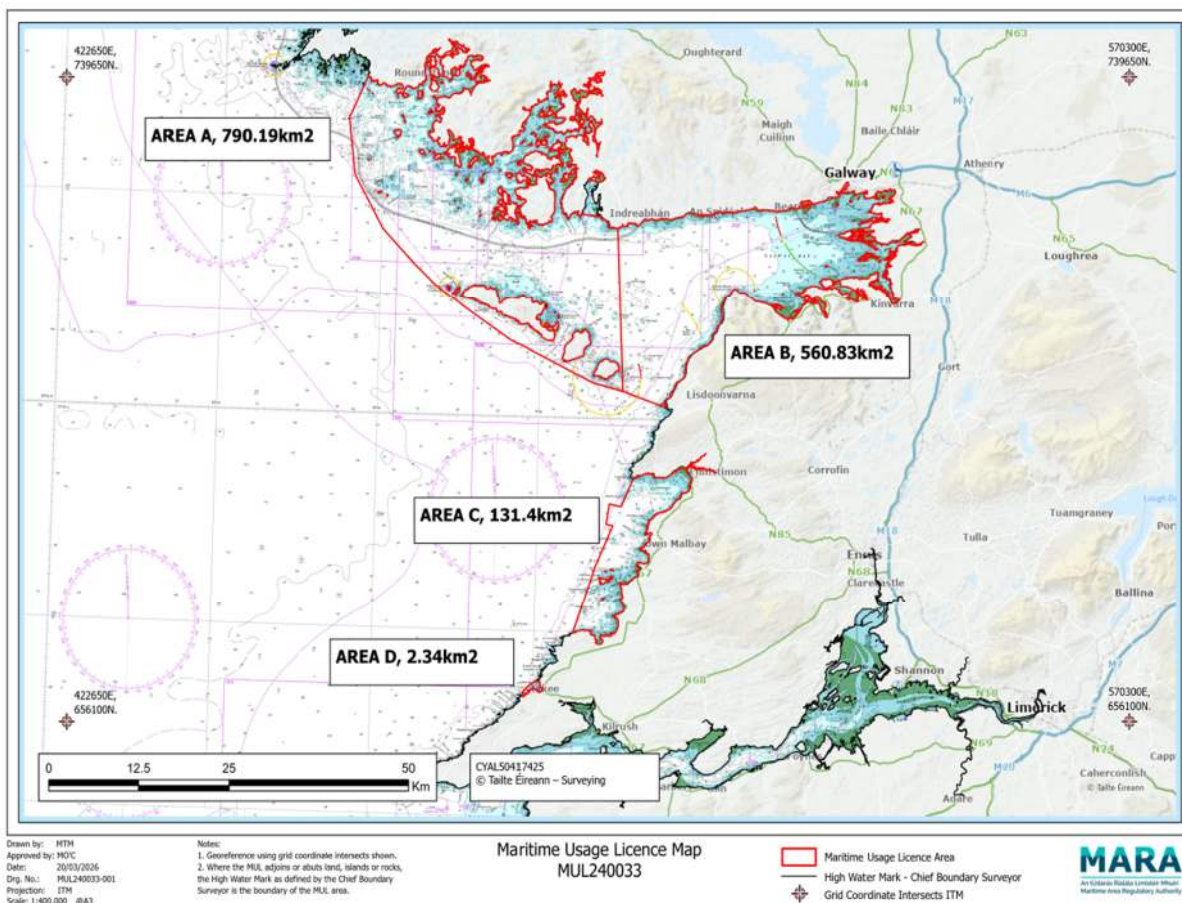
## 2. Location and Description of the Proposed Maritime Usage

The proposed MUL application area is detailed in Figure 1 and consists of four distinct locations, namely Area A, B, C and Area D.

- Area A which is located at the North Sound and Outer Bay extents of Galway Bay was originally submitted as 79,729ha. As the area of Ros a Mhíl (Rossaveel) Fishery Harbour Centre in Casla Bay, County Galway is regulated by the Department of Agriculture, Fisheries and Marine it cannot be licenced by MARA at this time. Therefore, the total area of “Area A” considered under this assessment is 79,019ha to reflect this as discussed in Section 6 (Public Body Consultation) below.
- Area B which is located at the Mid Bay and Inner Bay extents of Galway Bay, 56,082ha.
- Area C extends from Liscannor Bay to Doughmore Bay in County Clare, 13,139ha.
- Area D extends from Moore Bay and Intrinsic Bay in County Clare, 234ha.

Although the total proposed MUL application area is extensive the site investigations cover a much smaller footprint within this area. Indicative locations for the proposed site investigations have been detailed in the reports submitted by the applicant.

Uisce Éireann has applied for a 5-year licence term, attributing this duration to potential constraints such as the weather, prioritisation of Uisce Éireann projects and procurement requirements. It should be noted that the proposed survey duration will be a minimum of 35 days and a maximum of 60 days with surveys planned over a spring tide and neap tide. Details of the proposed marine environmental surveys are outlined in Table 1 below and include the deployment of 23 fixed ADCPs (on the seafloor in trawl resistant mounts) and 3 vessel mounted ADCPs, water quality sampling, CTD casts, bathymetric mapping - single and multi-beam echosounders; and 18 tide gauges.



**Figure 1: MUL application area (s) (solid red boundary).**

**Table 1: The details of the proposed maritime usage activities**

Proposed Survey type	Proposed methodology
Bathymetric Surveys	Vessel mounted single beam and multibeam echo sounders (200-700kHz) for 28 survey days in total across proposed bathymetric survey areas.
ADCP surveys	Deployment: Up to twenty-three (23) fixed ADCPs will be deployed (via a deck crane or A-frame with a winch) to the seabed in water depths of up to 100m. Each ADCP will be contained within a trawl resistant bottom mount frame and will have a footprint of approximately 1m <sup>2</sup> . Additionally, three (3) vessel mounted ADCPs will be used where fixed ADCP's are not suitable.
	Operation: During operation the fixed and vessel mounted units will emit “pings” of sound in the range of 200kHz and 500kHz at a sampling rate of 1-minute average every 10 minutes. Fixed ADCPs are to be in place for 35 to 60 days at each site. At some sites, ADCPs will also be suspended in the water column via a vessel mounted method or via a passive impeller due to unsuitable seabed habitats.
	Recovery: Recovery of fixed ADCPs is facilitated by a hydrostatic release which sends a ranging ping to a release mechanism which releases a buoy connected to a recovery line. The vessel moves into position over the buoy and recovers the ADCP into the boat via the crane. Should the hydrostatic releases fail, an acoustic pinger and if required, grapple recovery is proposed.
Tidal Gauges	18 no. tidal gauges are proposed, mounted on existing pre-determined structures. It is proposed that tide gauges will be in place for a period of 35 days each.
Water Quality Surveys	Samples will involve a hand-held multi-parameter passive sonde and/or Niskin bottle to collect water samples. CTD (conductivity-temperature-depth) monitoring may also be undertaken.

### Brief description of the site characteristics

The MUL application area includes selected maritime locations adjacent to the coastlines of county Clare and Galway as depicted in Figure 1. The northern locations are characterised by indented coastlines and islands interspersed with sandy beaches. The southern area including the Aran Islands is characterised by rocky coasts and limestone reefs with vertical steps and platform features. There is a wide range of habitat types within this extensive area. Area A contains both shallow and offshore circalittoral mud, rock and biogenic reef, sand, mixed/coarse sediments, infralittoral sand, mixed sediments, rocks and biogenic reefs. Area B consists of circalittoral mud, coarse sediment, rock and biogenic reef, Infralittoral rock and

biogenic reef, sand, mixed and coarse sediment. Area C: contains circalittoral rock, biogenic reefs and sand but is mostly unclassified as is Area D around Kilkee.

The average water depth in the MUL application area is between 25 and 30 metres, to a maximum depth of approximately 50m. In Galway Bay the average tidal range is between approximately 3-4m and currents operate on average at 1-2 knots in a north-easterly/south-westerly orientation. Nineteen waterbodies as defined by the Water Framework Directive (WFD) as coastal and transitional water bodies contain indicative locations for site investigations under this application. The latest water quality status assigned to such waterbodies ranges from moderate to high quality and at least one waterbody is classified as being at risk of not meeting WFD objectives. There is spatial overlap between the MUL application area and a number of Special Areas of Conservation (SACs) and Special Protection Area (SPAs) which provide important habitats for national and internationally important waterfowl, seabirds and marine mammals.

Other maritime users in the MUL application area include but are not limited to fisheries, aquaculture, shipping, recreational boating, swimming, utility operations-cables/pipelines and passenger ferry operators.

### **3. Assessment**

In undertaking the assessment of this licence application MARA had regard to the requirements of Section 6(8), the Marine Policy Planning Statement, and Section 121(2) of the Maritime Area Planning Act, 2021, as amended, which sets out the marine policy and legislation to which regard must be had in considering a licence application.

#### **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 National Marine Planning Framework (NMPF), which is the mechanism for implementing the forward planning component of our marine planning system as set out in the MPPS. The objective of the proposed maritime usage is site investigations to obtain data that will enable calibration of strategic hydrodynamic modelling to support the appropriate design and consenting requirements for future wastewater services in the areas concerned.

The National Marine Planning Framework (NMPF) is divided into overarching marine planning policies and sector/activity specific policies.

The overarching marine planning policies are further sub divided into three categories: Environmental, Economic and Social. The environmental assessment of this application is primarily covered in Sections 3.2–3.7 of this report, including but not limited to, the National Biodiversity Action Plan (NBAP), the Birds and Habitat Directives, the Water Framework Directive and the Marine Strategy Framework Directive.

The climate and relevant economic and sector specific policies of the NMPF such as co-existence are covered below and under Section 4 of this report under “consideration of other maritime users” respectively. Considering that the proposed maritime usage involves site investigations which will contribute to plans for the design and consenting requirements for sustainable wastewater infrastructure in this region this project is expected to positively contribute to adaptation measures as proposed in the Climate Action Plan 2025 and Climate Adaptation Framework (and associated sectoral plans) to improve the resilience/adaptive capacity of Ireland’s wastewater operations in the face of projected climate change impacts.

NMPF policy on air quality outlines that where proposals are likely to result in or facilitate an increase in air pollution, they should demonstrate an ability to avoid, minimize or mitigate air pollution. There will be no release of emissions or airborne pollutants from the equipment during the deployment, operation or recovery of the ADCPs or during the bathymetric survey. The regulation of operational emissions from vessels from an energy and air quality perspective is primarily regulated by the Department of Transport (Marine Survey Office) and local port operations. The proposed vessels are small (<25m) and will operate at reduced speeds during surveys which will reduce the emission loading associated with such works. It is recommended that a condition in any licence granted require the Holder to ensure all vessels conform to the appropriate certification standards as required by the Marine Survey Office.

The topic of underwater heritage assets falls under the social pillar of the NMPF which supports the conservation of the historic environment and heritage assets both along the coast and 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. The proposed maritime usage does not act significantly against any other social objectives of the NMPF. To ensure alignment with the requirements of this NMPF policy it is recommended that a condition be included in the licence, if granted, requiring the holder to consult with the National Monuments Service prior to the commencement of the activities.

This MUL application was also assessed against relevant sector specific policies of the NMPF. In particular there is alignment between the NMPF wastewater treatment and disposal objectives as outlined below. Therefore, the proposal by Uisce Éireann to undertake marine site investigations to assist with the delivery of future critical wastewater infrastructure is

regarded as aligning with the wastewater treatment and disposal policies of the NMPF (# 1 and 2).

NMPF wastewater treatment and disposal 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 Waste Water 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.*

The assessment of the information submitted by the applicant and other sources indicates that the proposed maritime usages align directly with at least two areas of the NMPF and does not act significantly against any other objective of the NMPF provided the recommended licence conditions and mitigations where relevant are adhered to and demonstrable.

### 3.2 Environmental Impact Assessment Directive (2014/52/EU) (EIA Directive)

MARA carried out a screening for Environmental Impact Assessment of the proposed maritime usages having considered Schedules 5 and 7 of the Planning and Development Regulations 2001. An EIA Screening Form was issued by MARA on 01/09/2025 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. 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 site investigations. Sections 3.4–3.7 of this report also address the Habitats and Birds Directives, Water Framework Directive (WFD) and Marine Strategy Framework Directive and recommend conditions to minimise impacts on biodiversity from the proposed maritime usages.

### 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

Act sets legally binding targets for the reduction of greenhouse gases by 2030 and net-zero emissions by 2050. Considering the temporary nature of the proposed maritime usages no significant increases in carbon emissions are expected to be produced. Additionally, as set out in Section 3.1 above, the proposed objective of the project is to obtain data that will enable calibration of strategic hydrodynamic modelling to support the appropriate design and consenting requirements for future wastewater services in the areas concerned. In consideration of the aforementioned objective, it is expected that the proposed maritime usages will contribute to enhanced resilience and adaptive capacity of such infrastructure in the face of projected climate change impacts.

### 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 ecological status of coastal 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.

Table 2 below details thirty-one waterbodies within the entire MUL application area. MARA has included transitional waterbodies as well as coastal water bodies in this assessment for completeness. Although the entire MUL application area submitted by the applicant covers 149,184ha indicative sample locations within this area cover a much smaller footprint. The indicative locations are detailed in the applicants AMIU Report. Nineteen waterbodies contain indicative locations for site investigations under this application. Eleven coastal waterbodies are noted - nine classified as having high water quality status and two as having good water quality status. Indicative sample locations were noted within eight transitional waterbodies, two being of high-water quality, four as moderate status and one classified as good water quality status. Table 2 shows the proposed maritime usages within each of the waterbodies.

**Table 2:** 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 waterbodies<sup>1</sup>.

Waterbody name & code	Waterbody type	Ecological status	Risk	Proposed activities within waterbody
Bertraghboy Bay IE_WE_230_0000	Coastal	High	Not at risk	AADCP01 – ADCP Survey AWQ01 – Water Quality ATG03 – Tidal Gauge
Roundstone Bay IE_WE_230_0100	Transitional	High	Not at risk	ABS01 Bathymetric Survey AWQ04/03/02 –Water Quality ATG02/01 – Tidal Gauge
Kilkieran Bay IE_WE_200_0000	Coastal	High	Not at risk	AADCP02 -ADCP Survey ATG04/05/06-Tidal Gauges
Camus Bay IE_WE_200_1100	Transitional	High	Not at risk	ATG07 -Tidal Gauge
Loch an tSaile, IE_WE_200_1100	Transitional	Good	Review	
Loch an Aibhinn, IE_WE_200_0700	Transitional	Good	Review	
Aran Islands, Galway Bay, Connemara (HAs 29;31)	Coastal	High	Review	AADCP03/08/06/05 -ADCP Surveys ABS04 -Bathymetric Survey ATG09 – tidal gauge
Outer Galway Bay, IE_WE_100_0000	Coastal	High	Not at risk	BADCP04/05/01 -ADCP Surveys BBS01 Bathymetric surveys BWQ01/02/03/04/05 – Water Quality BTG04 -Tidal Gauges
Casla Bay IE_WE_190_0000	Coastal	High	Not at risk	AADCP04, AACDP07, BADCP05/06– ADCP Surveys ABS02/03 -Bathymetric Surveys ATG08 -Tidal Gauges AWQ05/06 -Water Quality
Spiddal Estuary IE_WE_180_0100	Transitional	High	Not at risk	BADCP08 – ADCP Surveys
Corrib Estuary IE_WE_170_0700	Transitional	Moderate	Review	BADCP01/02 _ ADCP Surveys BBS03 – Bathymetric Surveys BTG01 -Tidal Gauge BWQ07/08
Oranmore Bay IE_WE_170_0500	Transitional	Unassigned	Not at risk	
Inner Galway Bay North IE_WE_170_0000	Coastal	Good	Not at risk	
Mweeloon Pool South	Transitional	Moderate	review	

<sup>1</sup> From [www.catchments.ie](http://www.catchments.ie)

Mweeloon Pool North	Transitional	Moderate	review	
Inner Galway Bay South IE_WE_160_0000	Coastal	High	Not at risk	BADCP03 – ADCP Survey BQW06 _ Water Quality
Rincarna Pools South	Coastal	Moderate	Review	
Rincarna Pools North	Coastal	Bad	At risk	
Ardfry Oyster Pool IE_WE_140_0200	Transitional	Moderate	Review	
Rossalia Lagoon IE_WE_150_0100	Transitional	Moderate	Review	
Dunbulcaun Bay IE WE 160_0800	Transitional	Good	Not at Risk	BTG02 -Tidal Gauge
Kinvarra Bay IE_WE_160_0100	Transitional	Moderate	At risk	BADCP09/10 ADCP Surveys BBS02 – Bathymetric Surveys BWQ09 – Water Quality BTG03 -Tidal Gauge
Aughinish Bay IE_WE_130_0000	Coastal	Good	Review	BBS02 -Bathymetric surveys
Ballyvaghan Bay IE WE 110 0000	Coastal	High	Review	BBS01 – Bathymetric survey BWQ10/11- Water Quality
Shannon Plume IE_SH_070_0000	Coastal	High	Not at risk	BADCP07, CADCP02/03, DACDP01/02 = DCP SurveysDBA01 Bathymetric Surveys BTG05, DTG01 -Tidal gauge CW03/04/05/06/07, DWQ01 -Water Quality
Liscannor Bay - IE SH 100_0000	Coastal	Good	Review	CADCP01/05 – ADCP Surveys CTG01 -Tidal Gauge CWQ01/02 – Water Quality
Inagh Estuary IE_SH_100_0100	Transitional	Moderate	Review	CADCP09 _ ADCP Survey CBS01 – Bathymetric Survey CTG02 -Tidal Gauge
Doonbeg Bay IE_SH_080_0000	Coastal	High	Not at risk	CADCP04 – ADCP Survey CWQ08/09 – Water Quality CTG03 – Tidal Gauge,
Doonbeg Estuary IE SH_080_0100	Transitional	Moderate	Review	CBS01 -Bathymetric Survey
Lough Donnell IE_SH_090_0100	Transitional	Poor	Review	
Aille Clare Estuary IE_SH_110_0100	Transitional	Poor	Review	

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

In terms of the biological quality elements, the deployment, operation/recovery of the ADCP instruments on the seabed may have the potential to result in temporary disturbance or damage to benthic habitats and species in the direct vicinity of chosen locations. However, it is not expected that such site investigations will result in a significant amount of disturbance of benthos given the substrate type, the scale and duration of site investigations. The footprint of each unit is approximately 1m<sup>2</sup> and in terms of ADCP recovery, a hydrostatic release mechanism will be the primary mechanism employed. Alternative recovery options proposed by the applicant include acoustic pingers and grapple recovery method. As the majority of soft substrate habitats and species generally have a high resilience to disturbance of the substratum subsurface<sup>2</sup> and many of the characteristic species are mobile allowing for recolonisation of affected areas relatively quickly, such mechanisms are unlikely to impact on the water quality status or risk categories of waterbodies concerned. Additionally, ADCP equipment will be positioned based on available charts and habitat maps to ensure it is placed on suitable flat sandy habitats or operate on a vessel mounted capacity where the seabed substrate is not suitable for ADCP deployment e.g. AADCP02 at Greatman's Bay entrance. In terms of dynamic positioning (DPS) the application details that this mechanism will not be used in shallow areas or when a vessel is close to the shore apart from berthing operations at suitable docking facilities.

Both hard substrate and biogenic reefs are noted within some of the ADCP deployment areas. However, the applicant has outlined that deployment will be based on available charts and habitat maps to ensure placement on suitable flat sandy habitats only thereby avoiding reef habitats and any associated negative impact on macroalgae. It is not expected that nutrient input will arise from the survey operations therefore phytoplankton and angiosperms are not expected to be impacted. Similarly changes to temperature and salinity of the receiving waters is not expected to arise from the site investigations.

There is low potential that the accidental release of contaminants such vessel fuel, maintenance fluids may give rise to deterioration of water quality during surveys given the small size, low bunker capacity and slow speeds of the proposed vessels (<25m in length). Operational discharge of bilges etc may lead to temporary deterioration however this is not considered to have an impact on quality and risk status. The applicant has noted all vessels used for the site investigation activities will adhere to international and national legislation for the prevention of pollution. Such regulations incorporates both operational and accidental discharges from vessels. It is a standard condition of MUL licences to retain and produce relevant documentation on request to demonstrate compliance.

---

<sup>2</sup> [The Marine Life Information Network](#).

With regard to the hydromorphological conditions of the waterbodies, the survey activities do not entail any geotechnical activities, they are to take place mainly in areas that have high wave energy regimes so any disturbed sediments will return to background conditions following completion of the activities. In terms of dynamic positioning (DPS) the application details that this mechanism will not be used in shallow areas or when a vessel is close to the shore apart from berthing operations at suitable docking facilities. Proposed tidal gauges will be attached to existing fixed structures such as navigation marks, quaysides or WWTP outfalls however in the case of Inagh River Estuary SAC a contingency of inserting a metal pole into the riverbed near the WWTP is proposed. Should this be deployed the scale and size (<100mm) of the works is not considered to impact significantly on hydromorphological conditions of the waterbody concerned. Given the characteristics, the scale and duration of the proposed site investigations it is not expected that the proposed site investigations will result in any deterioration in the waterbody risk status or water quality 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. Ireland’s 2024 assessment<sup>3</sup> under Article 8 of the MFSD sets out the status of the 11 qualitative descriptors that describe the state of the marine environment. Table 4 sets out the status of the relevant descriptors and assesses the potential impacts of the proposed maritime usage.

**Table 3:** Assessment of impact of proposed activities on MSFD descriptors

<b>MFSD Descriptor</b>	<b>Good Environmental Status achieved</b>	<b>Assessment</b>
Biological diversity	Partially achieved	MARA has undertaken an AA in respect to the proposed maritime usage (see Section 3.8) and reviewed the applicant’s reports as submitted. Mitigation measures have been identified and included in any licence issued, which will address potential impacts on biological diversity (including protected habitats and species).
Non-indigenous species	Yes	To ensure that the proposed maritime usage will not result in the unintended introduction of non-indigenous species, a condition is recommended in any licence issued relating to the control of invasive species.

<sup>3</sup> [Ireland's Marine Strategy Part 1: Article 8, 9 and 10 report 2024.](#)

Population of commercial fish/shellfish	Partially achieved	<p>The MUL application area lies within known nursery grounds for several commercial fisheries, primarily cod, haddock, angler monk, horse mackerel, mackerel and whiting. There are also known spawning grounds for haddock, herring and whiting. To the east of the MUL application there are known spawning grounds for haddock. Within MUL areas A and B <i>Nephrops</i> grounds are noted. Given the small scale, location and duration of surveys, it is not expected that the site investigations will lead to significant negative impact on important fish stocks.</p> <p>Several commercial fishing operations occur within the Study Area including dredging, pelagic trawling, long-line fishing, pot fishing, seine fishing, gill netting and otter trawling. Pot fishing is prevalent in Galway Bay and also occurs in MUL application Areas C and D. Long line fishing occurs in Galway Bay and around the Aran Islands (overlapping with ABS01, AADCP01, ABS02, AADCP03, BADCP06 and BADCP05), Net fishing is also common around the coastline of Galway Bay targeting bait species (overlapping with ABS01, AADCP01, ABS02, AADCP03, BADCP06 and BADCP05). There are several Fishery Orders in the MUL application area that overlap with indicative site investigation locations occurring at BBS02 and BBS01. There are four Shellfish Directive Waters in Galway Bay all within the MUL area and several aquaculture sites licenced for fish, shellfish and seaweed species.</p> <p>It is not expected that the proposed maritime usage will result in either incidental bycatch or a significant disturbance to populations of commercially exploited stocks due to the nature, scale and duration of the site investigations. A condition will be included in any licence granted stating the Holder shall not interfere with any fishing gear or obstruct any fishers or fishing vessels engaged in fishing.</p>
Marine food webs	Unclear	The balance and diversity in marine food webs are not expected be impacted as a result of the proposed activity. Impacts on habitats and associated benthic communities and water quality have been assessed in Section 3.5 of this report in relation to WFD and in Section 3.7 regarding Appropriate Assessment
Eutrophication	Yes	The proposed maritime usage does not involve the addition of nutrients to the marine environment and as such will not impact this descriptor achieving GES.
Sea-floor integrity	Partially achieved	Benthic impacts are summarised in Section 3.5 WFD. It is not expected that the activities will negatively impact on the GES status of this descriptor

Alteration of hydrographical conditions	Yes	The proposed maritime usage will not significantly alter the hydrographical conditions (e.g. changes in wave action, currents, salinity, temperature) in the MUL application area or adjoining areas. There will be no impact on the GES status of this descriptor.
Concentrations of contaminants	Yes	Operational discharges from vessel are regulated by the Marine Survey Office, it is recommended that the holder conforms to the appropriate certification standards regarding for the prevention of pollution from vessels, as required by the Marine Survey Office See Section 3.5 WFD for further discussion on this topic. Given the nature and duration of the activities proposed, it is not expected that the activities will negatively impact on the GES status of this descriptor.
Contaminants in fish/seafood for human consumption	Yes	Given the nature and duration of the proposed maritime usage it is not expected that the site investigations will result in the introduction of contaminants in fish or seafood and therefore, will not impact on the GES status of this descriptor.
Marine Litter	No	The proposed maritime usage will not result in the introduction of marine litter to the marine environment and thus will not impact on the achievement of GES status of this descriptor.
Introduction of energy including underwater noise	Yes	Underwater noise arising from the proposed maritime usage will not impact on the GES status of this descriptor. The operating frequency of the survey instruments is expected to be 600 kHz to 1 MHz for ADCPs, 200 to 400 kHz for MBES and 200 kHz for SBES. The hearing range of marine mammals is outside the operating frequency of the geophysical and bathymetric equipment to be deployed during the surveys. The application notes that that dynamic positioning will not be used in shallow areas or when a vessel is close to the shore apart from berthing operations at suitable docking facilities. It is recommended that the holder should provide details of all acoustic surveys to the Marine Environment Section of the relevant government department.

### 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 was submitted by the applicant and considered the scope of the proposed maritime usage, the relevant Annex IV species (otters, cetaceans and turtles) and the potential impacts of the proposed maritime usage on those species.

The Risk Assessment for Annex IV Species concluded that the proposed maritime usage complies with the system of strict protection. The frequencies of the marine instruments are outside the hearing range of all Annex IV cetacean species and pinnipeds.

Noise emission from the vessels will be within hearing range and may cause some disturbance, but this is thought to be negligible as the vessel are small <25m, and the species are mobile. Similarly, the risk of collision with vessels associated with the marine survey work is very low. The applicant outlines that survey speeds of 4 knots and transit speeds of 10 – 15 knots will be used. It is also noted that the density rate of cetaceans and pinnipeds within the survey area is estimated to be low<sup>3</sup>.

The applicant has also outlined 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 investigations under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended, for the reasons outlined above and in the Annex IV Report.

### 3.8 Appropriate Assessment

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. An Appropriate Assessment (AA) Screening Determination by MARA was undertaken on 01/09/2025 which concluded that the proposed maritime usage will require Stage 2 AA as it could not 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.

The proposed maritime usage is not directly connected with or necessary to the management of any European site(s). Two European Sites were screened in for appropriate assessment by MARA. These include Galway Bay Complex SAC, Site code 000268 and the Kilkieran Bay and Islands SAC, Site Code: 002111. These European sites and the Qualifying Interest (QIs) involved, as well the likely or potential source of impact as a result of the proposed maritime usages are given in Appendix 1. The applicant submitted a Natura Impact Statement (NIS) in support of the application, dated 31/01/2025.

---

3. Rogan et. al. 2018.

On the 05/02/2026 MARA received notification from the National Parks and Wildlife Services (NPWS) of its intention to select Connemara Islands as a proposed candidate Special Protection Area (Site Code 004159) (incorporating the existing Slyne Head to Ardmore Point Islands SPA 004159) in County Galway. This site was subsequently assessed for likely significant impact of the proposed maritime usage on the conservation objectives of the SPA. The proposed maritime usage is not likely to have a significant impact on the conservation objectives of this SPA due to the nature, location, small scale, and short duration of the proposal.

### 3.8.1 Assessment of Likely/Potential Impacts on European Sites

The likely/potential impacts on European sites and their qualifying interests (QIs) in view of the sites' conservation objectives include possible visual and above water noise disturbance as well as risk of vessel collision for Harbour seals (Qis) in the Galway Bay Complex SAC and Kilkieran Bay and Islands SAC. The relevant conservation objective for this qualifying interest is to maintain the favourable conservation condition of the Harbour Seal at the aforementioned locations. The associated and relevant target to achieve this objective is that *human activities should occur at levels that do not adversely affect the harbour seal population at the site*. Harbour Seals occupy both aquatic habitats and intertidal shorelines that become exposed during the tidal cycle and utilise shorelines for thermoregulation, resting, predator avoidance, and pupping (London et al. 2012).

Seal species are visually alert and therefore vulnerable to airborne noise and visual impacts (Southall et al. 2007) so the presence of survey vessels, the deployment and recovery of equipment can result in short-term flushing from haul-out sites or temporary changes in foraging behaviour (Jansen et al. 2015, Ruiz-Mar et al. 2022). Recurring disturbances particularly during the breeding and pupping season, when the seals are more dependent on land, may result in a further energetic burden on the seals and may have a considerable negative impact on breeding success (Suryan and Harvey, 1999).

The NPWS note the year round presence of Harbour Seals at the aforementioned SACs, which includes breeding (May to July approx.) and moulting seasons (August to September approx.) NPWS (2011). Harbour Seal breeding sites (as mapped by the NPWS) have been considered within the NIS submission. In undertaking a comparative assessment between the proposed locations of the site investigations and the breeding sites for Harbour seals within the Galway Bay Complex SAC it was noted that in particular there is a concentration of breeding sites around the proposed location for site investigations BBOS02 and BADCP10 which may expose seals to disturbance from airborne noise and visual impact. There are also a number of breeding sites within Kilkieran Bay and Islands SAC. However, the site investigations here will not cause any significant detrimental effect to the harbour seal population from above water noise and visual impact as the survey will be not within visual line of sight of such sites and will not cause any noise disturbance due to distance from the identified breeding sites.

Apart from breeding sites, which can be considered the most sensitive areas, there are several moulting and resting sites in the SACs concerned. The estimated exposure of Harbour seals to airborne noise and visual impact in the Galway Bay Complex SAC is regarded as being higher than in Kilkieran Bay and Islands SAC due to the scale of the activity but habituation in this area is also a factor given the scale of aquaculture and other maritime usages at this location. Additionally, survey vessels will traverse the intertidal area at high-tide only when seals will have abandoned their intertidal haul-out sites due to inundation at high-tide.

Overall, the risk of airborne noise and visual disturbance leading to significant displacement and impacts on the conservation objectives for Harbour seals is low due to the nature, scale and duration of the investigations. However, given the concentrated level of investigations in the Galway Bay Complex SAC, behavioral disturbance cannot be discounted where vessel activities occur in proximity to these sensitive receptors, in particular during breeding periods. It is suggested that a mitigation measure to minimise disturbance to Harbour seal breeding sites in Galway Bay Complex SAC be included in any licence granted which states that survey vessels do not work within 200m of harbour seal breeding sites during the months of June, July and August annually. See Section 3.8.5 – Mitigation Measures. With the adoption of the aforementioned measure, it is concluded that there will be no adverse effect on the integrity of Galway Bay Complex SAC as a result of the proposed maritime usage.

In terms of the risk of vessel collisions, increased risk is normally associated with larger ships and faster speeds (Laist et al., 2001). This application proposes to use two small vessels (up to 25 m in length) moving at survey speeds of 4 knots and 10 – 15 knots whilst in transit. Given the nature, scale and duration of site investigations, it is not expected that the risk of vessel collision will significantly impact on the conservation objectives of the Harbour seals in the SACs concerned.

### 3.8.2 Assessment of In-combination effects

The potential impacts of the proposed maritime usage must be considered individually and also in combination with other plans or projects. All plans or projects that could, in combination with this application, have a significant effect have been considered. This in-combination assessment has been undertaken using professional and scientific judgement and is assessed primarily in terms of potential spatial and temporal impacts. Table 4 below outlines those activities which are considered to have the potential to act in combination with the proposed maritime usage.

The spatial scope of the in-combination assessment is based on the MUL application area. The temporal scope of the in-combination assessment is based on the period over which the applicant has applied for, thus the temporal scope is 5 years.

**Table 4 Potential sources of impact that could act in-combination with the application**

Impact	Potential Cumulative Pathway
<p>Above water noise and visual disturbance on birds</p> <p>Vessel Collision</p>	<p>Pathway possible via light and sound travelling through air with impacts possible where there is spatial and temporal overlap with other visual and above water noise producing projects.</p> <p>Pathway possible via additional vessel operation in the location of seal habitats.</p>

Prediction:

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

- Above water noise and visual disturbance and displacement

The potential for increased visual and above water noise disturbance to Harbour seals from projects which spatially and temporarily overlap is considered low.
- Collision risk

The increased risk of vessel collision with seals is not considered significant given the nature, scale and duration of site investigations, the density rate of pinnipeds and mitigation measures proposed by the applicant.

### 3.8.3 Identification of Plans or Projects that could act in combination

A search was carried out on 20/03/2026 of relevant databases (including EPA, An Coimisiún Pleanála, Foreshore Unit, MARA, planning authorities) for plans and projects with characteristics that may cause in-combination effects with the proposed maritime usage. The projects shown on Table 5 are within the CESS and CETS of the proposed maritime usage.

**Table 5:** Projects identified with the potential to have in-combination effects given the nature and location of the maritime usage.

Application Ref.	Project description	Distance KM	Project Status	Potential in-combination impact
MUL230024	Deep Sea Fibre Networks Ltd. Marine Survey and Site Investigations for a	Partial overlap	Granted	MUL areas have slight overlap, but activities will

	cable route for the PISCES subsea telecoms cable system.	with MUL Area.		occur in different parts of licenced areas.
FS006566	Foreshore Lease application for the testing of prototype wind, wave and tidal energy devices	Overlap with MUL area	Granted	MUL areas have slight overlap but activities will occur in different parts of licenced areas.
Multiple sites – see <a href="#">DAFM web viewer</a> for details	Fisheries Order Areas – European flat Oysters	Within MUL Area B and Galway Bay Complex SAC	Licenced	Fishing for flat oyster is very short term, usually occurs outside of breeding season and is restricted to very small area.
Multiple sites – see <a href="#">DAFM web viewer</a> for details	Licenced Aquaculture sites	Within Areas A and B and within Kilkieran and Galway Bay Complex SAC	Licenced	Activities overlap in some cases, but oyster aquaculture is considered minimal in terms of disturbance as activity occurs sporadically at low tides. No in-combination impact expected.

The following plans were assessed in terms of having potential to result in in-combination effects:

- *Galway City Council Development Plan 2022–2028,*
- *Galway County Council Development Plan*
- *Galway County Council Heritage and Biodiversity Plan 2024-2030.*
- *Galway City Council Biodiversity Plan 2025-2030*
- Galway County Council Climate Action Plan 2024-2029
- Galway City Council Climate Action Plan 2024-2029
- The National Strategic Plan for Sustainable Aquaculture Development 2030

#### 3.8.4 In-Combination Effects Assessment conclusion

The activities that have been identified include site investigations, fisheries and aquaculture activities within or in close proximity to the MUL application area. Such projects are all considered different in nature to the proposed maritime usage activity and are either temporary or expected to cause minimal disturbance. Additionally, due to the slight overlap with this application and some of the activities in Table 4, in-combination impacts are further discounted.

Therefore, likely significant in-combination effects from the projects assessed on the conservation objectives of the Natura 2000 site in question can be excluded. Also, likely significant in-combination effects from plans assessed on the conservation objectives of the Natura 2000 sites considered under this assessment can be excluded because they do not contain specific activities that would cause in-combination impacts.

#### 3.8.5 Mitigation measures

Mitigation measures for those impacts identified in Section 3.8.1 are detailed below. These mitigation measures are to be included as conditions in any licence granted. (See draft licence).

- Above water noise and visual disturbance  
Mitigation measures are recommended from the analysis of the likely/potential impacts on the qualifying interests (Harbour Seals) associated with the Galway Bay Complex SAC. Such measures include that a condition in any licence granted should include the condition:

“The Holder shall not undertake site investigations within 200m of Harbour seal breeding sites (as mapped by NPWS) between 1st of June and 31<sup>st</sup> of August annually in the Galway Bay Complex SAC, to ensure least disturbance to Harbour seals.

#### 3.8.6 Residual effects

This assessment has identified likely/potential significant impacts on a European Site and its conservation interests in Section 3.8.1 and recommends mitigation measures as a condition in any licence granted. 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.

### 3.8.7 Assessment of Transboundary effects

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

### 3.8.8 Appropriate assessment conclusion

The appropriate assessment screening process identified potential significant impacts due to visual & above water noise disturbance for Harbour seals (Qis) in the Galway Bay Complex SAC. Likely significant impacts from the proposed maritime usage could not be ruled out, beyond reasonable scientific doubt, without mitigation. The potential for in-combination effects from the proposed activities/ with other plans and projects can be ruled out beyond reasonable scientific doubt, without mitigation.

Mitigation measures were identified to ensure that impacts on European sites and their QIs do not occur. Therefore, with adherence to the mitigation measures specified in Section 3.8.5 and in view of best scientific knowledge, and the site conservation objectives, the project, individually, or in-combination with other plans or projects, will not have adverse effects on European sites. The appropriate assessment determination is included in Section 9.

## **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 for any licence granted to ensure minimal disruption to other users and alignment with the objectives and policies of the NMPF.

### **a. Ports, Harbours, Shipping and Safety at Sea.**

The proposed maritime usage is located in maritime areas that include shipping routes to the port of Galway as well as ferry/passenger ship traffic operating from Galway and Doolin to the Aran Islands. Rossaveel (Ros a Mhíl) Fishery Harbour Centre to the north of the MUL application is a primary fishery harbour centre with associated fisheries traffic. The MUL application area is also used extensively by sailing and recreational vessels, for sea-shore angling, and recreational diving. Fisheries and aquaculture are also prominent commercial enterprises with associated marine infrastructure in the region. It is recommended in any licence granted that the Holder, shall, a minimum 14 days prior to the commencement of the Permitted Maritime Usage, arrange for the publication of a Marine Notice with the Marine Safety Policy Division, Department of Transport. In addition, prior to the commencement of the Permitted Maritime Usage the Holder shall also consult with the Port of Galway to plan and schedule the Permitted Maritime Usage in order that any potential disruption to port operations is managed appropriately.

On completion of the site investigations the Holder shall provide the United Kingdom Hydrographic Office (UKHO) and the INFOMAR program with the final bathymetric data from this Permitted Maritime Usage so that the appropriate charts can be updated to ensure the safety of navigation at sea and the protection of the marine environment through availability of monitoring data.

**b. Transmission and Wastewater Treatment and Disposal**

Within the MUL area there is active submarine electricity cables with routes from Casla Bay to Inis Mór, Inis Meáin and Inis Oírr. Although site investigations AADCP03 (North Sound), AADCP08 and BS04 (Kileaney Bay) may spatially overlap with such utilities the potential for interaction between the type of site investigation in questions and the utilities outlined is extremely low. Additionally, there are a number of submarine wastewater pipelines within the MUL application area which the applicant (as the asset owner) will be aware of. Therefore, no specific condition is required in relation to this.

**c. Sports and Recreation**

Bathymetric survey areas BADCP04 and CBS01 overlap with bathing waters, but due to the short-term and temporary nature of the bathymetric survey, disturbance to the public using these bathing waters is expected to be minimal.

**5. Site visit**

A site visit was not undertaken for this application due to the offshore nature of the activities proposed.

**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 consent area. Ten responses were received in total, one with no comment. The following tables summarise the observations from the nine 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><b>1. Observation summary – Department Agriculture, Food, Marine (DAFM)</b></p> <p>The submission states that while the proposed works are not anticipated to unduly impact on inshore fisheries, relevant local fishing organisations should be included on the provision of any Notices to Mariners in this respect. Additionally, the Department highlights that a portion of the MUL application area is situated within Ros a Mhíl (Rossaveel) Fishery Harbour Centre, and that they are of the opinion that it requires the issuing of a Foreshore Licence by DAFM, and the removal of the Fishery Harbour Centre from the licence map on the final decision if granting the MUL. To</p>
---

inform the DAFM comments, the observations of the Marine Institute (MI) and Bord Iascaigh Mhara (BIM) were requested and noted as separate submissions.

**MARA’s response:**

MARA notes the submission received from Department of Agriculture, Food and Marine. A specific condition of any licence granted will be to ensure that a Marine Notice is issued Via the MSO at the Dept of Transport prior to the commencement of operations. MARA also notes that Ros a Mhíl (Rossaveal) Fishery Harbour Centre is included to the north of the MUL Therefore, it is recommended to part-grant the proposed maritime usage application and remove the area depicted as the Ros a Mhíl Fishery Harbour Centre as per SI No 208 of 1981 from any maritime usage licence granted.

**2. Observation Summary – Bord Iascaigh Mhara (BIM)**

BIM state that the main concern from a fisheries context includes accidental entanglement with static fishing gear by the survey vessels, and/or by fishing vessels with the deployed survey equipment. Additionally BIM highlight that early and continuous communication with stakeholders in the survey areas is important and that timely notification to fishers through direct contact using the Irish Fleet Register should be undertaken. In relation to bathymetric scans or ADCP deployments within shellfish production areas BIM outline that due to the presence of structures such as oyster trestles and navigational poles close such areas will not be navigable directly above them even on high tides. Shellfish areas with mussel longlines will also have SUM marker buoys denoting their locations.

**MARA’s response:** MARA notes the submission by Bord Iascaigh Mhara (BIM) The licence, if granted, will implement conditions relating to the protection of fishing gear, and publishing of marine notices.

**3 Observation Summary – Marine Institute**

The Marine Institute state that the proposed survey areas coincide with fishing areas, fish stocks and aquaculture activities however survey operations should not substantially interfere with fishing activities. It is assumed that the necessary notices to mariners and fishing vessels will be made regarding the deployment of surveys. Furthermore, the indicated areas overlap with spawning and nursery grounds for a range of commercial fish species and there is potential for cumulative impacts between these and other survey activities that may be active in the local vicinity. This must be taken into account in the granting of any licence to survey the area.

**MARA's response:**

MARA notes the submission from the Marine Institute. The licence, if granted, will implement conditions relating to the protection of fishing gear, publishing marine notices and as well coordinating activities with the respective activities. The cumulative impact of the proposed maritime usage activity has been considered as part of the in-combination assessment in Section 3.8 above.

**4. & 5. Observation Summary – Department of Housing, Local Government and Heritage (DHLGH)**

Outlined below are heritage-related observations/recommendations co-ordinated by the Development Applications Unit (DAU) under nature conservation and archaeological heritage.

**Nature Conservation (NPWS)**

The National Parks and Wildlife Service of the Department of Housing, Local Government and Heritage have stated that the Applicant NIS adequately characterises the project, relevant European sites, and potential impact pathways.

The National Parks and Wildlife Service recommends the following conditions be attached to the consent:

1. The licence should include a requirement to implement all marine mammal mitigation measures as outlined in the NIS, including MMO oversight and reporting to the National Parks and Wildlife Service.
2. Any changes to survey equipment type, frequency, or duration should be re-screened for potential effects on European sites.

**Underwater Archaeology Unit (UAU):**

The National Monuments Service of the Department of Housing, Local Government and Heritage state that that the MUL application area includes a significant assemblage of protected wrecks, archaeological objects underwater, recorded monuments, maritime built heritage and submerged palaeolandscapes. The submission also references the policies and objectives in both the draft National Planning Framework and the National Marine Planning Framework with respect to protecting archaeological heritage. The submission also includes an extensive list of requirements of the National Monuments Service.

**MARA's response:**

MARA notes the combined submission co-ordinated by the DAU of the DHLGH.

MARA notes the submission of the NPWS. It is noted that although the impacts of underwater noise from this application are not considered likely to cause significant impact, the NPWS recommended that all marine mammal mitigation measures as outlined in the NIS, should be implemented. Any licence granted to the applicant for

the proposed site investigations will include a condition requiring adherence to the plans and particulars of submitted application documents, which includes the NIS. Additionally, any amendments to type of survey equipment, frequency and/or duration of investigations will be regarded as a material amendment to any licence granted and an application for such would need to be submitted to MARA for assessment.

MARA also notes the submission of the UAU. MARA requires that, any licence issued to the applicant for the proposed site investigations will require adherence to the plans and particulars of their submitted application documents. It is recommended that the licence include a condition to consult with, and comply with the requirements of, the National Monuments Service prior to commencing the proposed site investigations.

**6. Observation Summary – Irish Lights**

Irish Lights outlines that it has no objection to the granting of this licence from a safety of navigation perspective. Should any requirement arise for marine aids to navigation, such aids will require a Statutory Consent from Irish Lights under the Merchant Shipping Act. Any Appropriate Assessment activity conducted as part of this MUL licensing process should include the impact of the deployment of surface marking buoys and associated moorings, which may be required as part of the project.

**MARA’s response**

MARA notes the observations from Irish Lights. All MULs include a condition as standard, stating that the MUL does not negate the holders’ statutory obligations or requirements under any other law. Responsibility rests with the applicant to ensure that all required statutory consents are in place in order for the proposed marine usage to proceed. All aspects of the proposed application submitted to MARA have been considered as part of the AA Report and Determination.

**7. Observation Summary – Geological Survey Ireland**

Geological Survey Ireland is the national earth science agency and is a division of the Department of the Environment, Climate and Communications who provide independent geological information, interpretation and collation of various data. Recommendations were provided on various data sets available from GSI when conducting assessments.

**MARA’s response:**

MARA notes the submission from the GSI and is cognisant of the valuable data developed and maintained by the GSI.

**8. Observation Summary – Department of Transport (Marine Survey Office)**

The Marine Survey Office outlined no objection to the site investigations proposed in the application from a navigational safety perspective. They highlighted that proposed site investigation locations are traversed by busy shipping lanes to Galway Port and utilised by passenger fishing and recreational vessels. The observations highlight the presence of submarine pipelines and cables, charted overfalls, tide rips or races in Liscannor Bay and the need for all vessels/equipment deployed to be appropriate for operating in the prevailing weather and conditions and compliant with UNCLOS. Additionally, there are requirements regarding publication of a marine notice (s), conformity with Irish certification standards for vessels, Irish load line surveys, suitably qualified personnel and the provision of data to the UK Hydrographic Office and INFOMAR. The MSO outline the importance of maintaining safety of navigation, use of appropriate communications channels and that any marking and lighting required for moored instruments should be carried out in consultation with the MSO and Commissioner of Irish Lights.

**MARA’s response:**

MARA notes the issues raised by the MSO. Conditions are included as standard in Marine Usage Licences in respect of the requirement to publish marine notices, the need for vessels to conform with the requirements of Irish certification standards and if suitable, the need to inform the relevant authorities of updated bathymetry data. All MULs include a condition as standard, stating that the MUL does not negate the holders’ statutory obligations or requirements under any other law.

**9. Observation Summary – Port of Galway Company**

The Port of Galway has no objection to the proposed surveys. The Port company requests they are informed of any survey activity planned within or adjacent to the Port’s jurisdiction and approaches, to ensure coordination with ongoing port operations and navigational safety.

**MARA’s response**

MARA notes the submission from the Port of Galway. It is recommended that any licence granted include a condition that states that prior to the commencement of site investigations the Holder shall consult with Galway Port Company.

## 7. Public consultation

A public consultation was undertaken between 20/11/2025 to 21/12/2025 under Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 and under section 117(6)(b) of the MAP Act. One submission was received. The following table summarises the submission received, with MARAs response given below the submission summary. The MARA website should be consulted to view the full details of the submissions received.

1. Submission Summary – Wild Ireland Defence CLG (WID)
<p>Themes from the submission of Wild Ireland Defence are summarised below. WID requests that the application be refused as they are of the opinion that the assessment does not meet the required legal standard.</p> <p><i>Environmental Impact Assessment (EIA):</i> WID questions if MARA has the legal competency to make a determination pursuant to assessment under the EU EIA Directive. They also state that the screening for EIA fails to meet the lawful screening requirements of the EIA Directive.</p> <p><i>Nature and Environmental Protection Directives:</i> They state that they have issues with the AA Screening Report, stating it is vague and incomplete, lacks objective scientific evidence and that the above screening errors extend to Stage II of Appropriate Assessment. They request MARA fulfils its obligations consistent with the State’s obligations regarding EU nature and environmental protection directives and list a number of items they consider as issues in the assessment carried out.</p> <p><i>Annex IV Risk Assessment:</i> They state the applicants risk assessment document is spatially limited excluding the full range of protected species.</p> <p><i>Water Quality:</i> They state that the impact of the proposed activity on the status of water quality appears to have been unassessed.</p>

### MARA Response:

MARA notes and has had regard to the issues raised by Wild Ireland Defence CLG.

Having considered the nature of the proposed maritime usages, MARA first considered if the usages are of a type listed as a project for which an EIA is required under Annex I and II of the EIA Directive, as transposed in Schedule 5 of the Planning and Development Regulations, 2001 (as amended). It was concluded that none of the proposed maritime usages and associated activities were of a type listed in Schedule 5 and therefore detailed consideration of the likely significant effects of the proposed usages was not necessary or indeed required under the EIA Directive. In reaching this conclusion MARA has specifically considered the nature of the proposed site investigations.

MARA has carried out an independent assessment of the application which included consultation with relevant public bodies. In accordance with Section 121(2) of the MAP Act, MARA has had regard to the state's obligations under the Birds and Habitats Directives (79/409/EC and 92/43/EEC), the Water Framework Directive (2000/60/EC), the Marine Strategy Framework Directive (2008/56/EC) and the EIA Directive (2014/52/EU) – see Sections 3.4–3.7 of this report. Mitigation measures have been recommended in the report to ensure that there will be no significant adverse impacts on habitats and species as a result of the proposed activities.

MARA is the competent authority for undertaking AA Screening and AA of MUL applications in accordance with Section 112 of the MAP Act. The applicant's SISAA and NIS provide information which informs MARA's assessment. MARA screened the application for AA, as required under the Habitats Directive and the Birds and Natural Habitats Regulations 2011 as amended. The AA screening report and determination published on 29/10/2025 identified likely or possible effects of the proposed activities on European sites, alone or in-combination with other plans or projects, and in view of the sites' conservation objectives and determined that an AA was required. The methodology applied in the applicant's SISAA report followed European Commission (EC) and national guidance. The applicant's NIS provided an assessment of the potential impacts identified in view of the site-specific conservation objectives of those European sites. The NPWS submission in relation to this application outlines that the applicant's NIS report adequately characterises the project, relevant European sites, and potential impact pathways. The analysis appropriately focuses on temporary airborne/visual disturbance from vessel operations, with no significant underwater noise or habitat impacts expected. MARA's AA Report and Determination included a systematic review of the SSCOs of each site and independently determined that there would be no adverse impacts on those European sites, subject to the implementation of mitigation measures.


Annex IV species are addressed in Section 3.7 of this report. The applicant submitted a Risk Assessment for Annex IV Species, separate to the SISAA and NIS reports. MARA considers that the Risk Assessment for Annex IV Species was carried out in accordance with EU and national guidance and have agreed with the outcomes of this report.

In terms of water quality please see Section 3.5 of this report which considers MARA's responsibilities under the WFD and assesses potential impacts on water quality as a result of the proposed maritime usage activity.

**8. Recommendation**

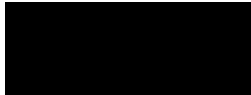
Having considered the information submitted in support of the application, I recommend that a Maritime Usage Licence in accordance with Section 119 of the Maritime Area Planning Act, 2021, as amended, be part granted to Uisce Eireann, Colvill House, 24-26 Talbot Street, Dublin 1 for the purposes of *marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000 (Schedule 7 (3) MAP Act)*, subject to the conditions in the Proposed Licence. A part grant is recommended for the following reasons: Ros a Mhíl (Rossaveal) Fishery Harbour Centre to the north of the MUL application is a fisheries harbour centre under S.I. No. 208 of 1981. The Department of Agriculture, Food and the Marine that regulate the area spatially depicted on the maps/charts associated with this legislation. Therefore, MARA is not currently in a position to incorporate this area in a maritime usage licence.

I recommend the granting of the proposed MUL area with the exception of Ros a Mhíl (Rossaveal) Fishery Harbour Centre as spatially defined in S.I. No. 208 of 1981.

Signed:	
Prepared by:	Maria O Connell Marine Analyst
Date:	25/03/2026

**9. Approval and AA Determination**

Having considered this report, the documents submitted by the applicant the observations received on foot of the public consultation and public body 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 by Uisce Eireann, Colvill House, 24-26 Talbot Street, Dublin 1 to undertake *marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000 (Schedule 7 (3) MAP Act), (MUL240033),* (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 3.8.5 – Appropriate Assessment, which have been included in the Proposed Licence which must be incorporated into any consent that may be granted in respect of the respective maritime usage licence application.

Signed:	
Approved and determined by:	<b>John Evans</b> Director of Maritime Usage Licensing
Date:	25/03/2026

## Appendix 1

European sites and qualifying interests which were screened in for appropriate assessment along with potential source of impact and site-specific conservation objectives.

European Site & site code	Approx. distance from MUL application area (km)	Qualifying Interests	Potential source of impact	Site-specific conservation objectives
Kilkieran Bay and Islands SAC [002111]	0 – 5 Km	<i>Phoca vitulina</i> (Harbour Seal) [1365]	Possible visual & above water noise disturbance. Risk of vessel collision.	<u>NPWS (2014)</u> Conservation Objectives: Kilkieran Bay and Islands Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Galway Bay Complex SAC [000268]	0 – 5 Km	<i>Phoca vitulina</i> (Harbour Seal) [1365]	Possible visual & above water noise disturbance Risk of vessel collision.	<u>NPWS (2013)</u> . Conservation Objectives: Galway Bay Complex SAC 000268. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.