

Assessment, Research and Data Unit Maritime Usage Licence Assessment Report			
To:	Maritime Authorisations Unit	From:	Dr. Alison McCarthy, Senior Marine Advisor
Date	04/11/2025	Maritime Usage Licence Application No:	MUL240042
Approved for issue by:	John Evans, Director of ARD Unit		
Applicant:	Port of Cork Company, Tivoli Terminal Building, Tivoli Dock & Industrial Estate, Cork, T23 YNT9.		
Type of maritime usage activity in accordance with Schedule 7 of the Maritime Area Planning (MAP) 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 Usage:	Dognose Bank, Corkbeg, Whitegate in the southeast of Cork Harbour		
Application received:	19/06/2023 (application submitted to Foreshore Division of Department Environment, Climate and Communications) 01/10/2024 (application transferred to MARA in accordance with (5A) of Section 1E of the Foreshore Act 1933).		
Section 117(3) request for additional information (RAI) issued:	20/01/2025, 24/02/2025		
Response to RAI received:	14/02/2025, 03/04/2025		
Screening for Environmental Impact Assessment (EIA):	EIA not required (EIA consideration Form dated 20/05/2025)		
Stage 2 Appropriate Assessment Required	Yes	Section 117(6)(a) notice requesting Natura Impact Statement issued:	21/05/2025
Natura Impact Statement received:	12/08/2025		
Public consultation:	22/08/2025 to 21/09/2025		
Submissions from the public received:	None	Comments from public bodies received:	Eight

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1. Background

This maritime usage licence (MUL) application from the Port of Cork Company (the applicant) is for 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). The proposed site investigation activities (i.e. the proposed maritime usage) are associated with the future port infrastructure identified in the Port of Cork Masterplan 2050¹ including Offshore Renewable Energy (ORE) infrastructure. The application was originally submitted as a Foreshore application to the Foreshore Division of the Department of Housing, Local Government and Heritage (DHLGH), application Ref. FS007098. The application was transferred to MARA from the Department of Environment, Climate and Communications (DECC) in accordance with (5A) of Section 1E of the Foreshore Act 1933, as amended, to be assessed as an application for a MUL under the MAP Act.

2. Description of the Proposed Maritime Usage

The MUL application area is 98.5 ha and is located at Dognose Bank, Corkbeg, Whitegate in the southeast of Cork Harbour. The proposed site investigation activities are shown on Table 1, along with the estimated duration of the activities. The applicant has provided indicative locations for the boreholes and CPT tests, though the geotechnical and geophysical surveys could take place throughout the MUL application area. The applicant notes the surveys will take approximately 19 weeks in total to complete. The applicant has requested a 5 year licence duration to allow for tendering and completion of activities.

Table 1. Details of the proposed site investigation activities along with the estimated duration.

Proposed maritime usage activities	Estimated duration
Geophysical surveys – sub bottom profiler single channel seismic reflection, underwater multichannel analysis of surface waves (UMASW) and seismic refraction surveys	3 weeks
Geotechnical surveys – approximately 20 boreholes (cable percussive with rotary follow-on), 0.5 m ² diameter, up to 25 m in depth. A geotechnical drilling rig mobilised on board a jack-up barge will be used (along with a tug vessel). Approximately 20 Cone Penetration Tests (CPTs), up to 10 m in depth, using a dynamically positioned vessel.	12 weeks
Sub-tidal benthic sampling (using Van Veen Grabs) and video surveys for benthic faunal analysis and habitat classification.	During the months of April to September

¹ [Port of Cork Masterplan 2050. Published May 2023.](#)

Intertidal benthic core samples (19 cm diameter) will be taken in soft intertidal sediments	During the months of April to September
Marine mammal surveys will take place via vantage point surveys from the shoreline. Underwater acoustic surveys - a submerged microphone attached to specialised recorder device.	Any time during the licence period. During the geophysical and geotechnical surveys.

3. National Policy and EU Directives

In assessing a MUL application, MARA must have regard to Section 6(8) of the Marine Planning Policy Statement (MPPS) and the legislation and policy set out in Section 121(2) of the MAP Act, as discussed in this section.

3.1 National Marine Planning Framework (NMPF)

The MPPS outlines the government's overarching vision, policies, and principles for managing the country's maritime area. The NMPF sets the framework for implementing the forward planning component of our marine planning system as set out in the MPPS. The applicant notes that the proposed site investigation activities are associated with the development of future port infrastructure, in particular ORE infrastructure. The NMPF supports the development of ORE in Ireland as a driver to significantly reduce greenhouse gas emissions in line with national and EU Policy (ORE sectoral policy, Chapter 13). The application is also in line with the Ports, Harbours and Shipping sectoral policy (Chapter 18) with an objective of sustainable development of the ports sector and provision of adequate capacity to meet present and future demand and to adapt to the consequences of climate change.

Underwater cultural heritage

The NMPF includes a policy on heritage assets (Heritage Assets Policy 1). The policy supports the conservation of the historic environment and heritage assets both along the coast and in the underwater environment. The aim of the policy is to ensure that proposals in the marine environment do not have a detrimental impact on marine and coastal heritage assets. The applicant notes that there are no known wreck sites in the MUL application area. The applicant notes that the activities will be planned so that geophysical surveys take place in advance of geotechnical surveys so that any features of archaeological interest are identified in advance and avoided. It is recommended to include this as a condition in any licence granted. In addition, 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 and to comply with their requirements in relation to underwater cultural heritage.

3.2 National Biodiversity Action Plan (NBAP)

Ireland's 4th National Biodiversity Action Plan² 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, if granted, to address the potential risks from invasive alien species as a result of the survey activities. Sections 3.4, 3.5 and 3.7 of this report also address the Habitats and Birds Directives, WFD and MSFD and recommend conditions to minimise impacts on biodiversity from the proposed activities.

3.3 Climate Action and Low Carbon Development Act 2025 ('the Climate Act')

The Climate Action Plan 2025³ notes the Future Framework for Offshore Renewable Energy⁴ policy document which sets out key actions for the delivery of offshore wind by 2050. Within the Future Framework document, the development of port infrastructure is identified as a key component to support and facilitate ORE deployment. This application aligns with the Climate Action Plan in supporting potential ORE facilities in the port. Considering the temporary and short-term nature of the proposed site investigation activities, no significant increases in carbon emissions are expected to be produced.

3.4 Birds and Habitats Directives (79/409/EC and 92/43/EEC)

MARA issued an Appropriate Assessment (AA) Screening Determination on 20/05/2025 which concluded that the proposed site investigation activities 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.

MARA undertook an AA in respect to the proposed site investigation activities, considering the documents submitted by the applicant, the observations received on foot of the public body consultation on the application along with the marine advisor's own assessment (see AA Report and Determination which accompanies this report). The AA concluded, for the purposes of Article 6(3) of the Habitats Directive and Regulation 42(11) of the Birds and Natural Habitats Regulations, that the proposed activities (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 mitigation measures. The AA report specifies the mitigation measures that must be

² [4th Biodiversity Action Plan 2023–2030. Government of Ireland.](#)

³ [Climate Action Plan 2025. Government of Ireland.](#)

⁴ [Future Framework for Offshore Renewable Energy](#)

included as conditions in the licence, if granted. These conditions are also included in Appendix 1 of this report.

Articles 12 and 13 of the Habitats Directive impose obligations on Member States to establish a system of strict protection for animal and plant species listed on Annex IV of the Directive. The applicant submitted an Annex IV Species Risk Assessment in support of their MUL application. The risk assessment considered the scope of the proposed site investigation activities, the relevant Annex IV species (dolphins, whales, porpoise, marine turtles, otters and bats) and the potential impacts of the activities on those species. The Annex IV Species Risk Assessment concluded that Annex IV bat species, leatherback turtle, and otter are not likely to be impacted due to location and nature of the activities. The assessment noted that some Annex IV cetacean species (including Bottlenose dolphin, minke and fin whale) may be disturbed from underwater noise from the geophysical and geotechnical activities. The assessment noted that these species are found in low numbers in Cork Harbour and previous sightings are of highly mobile individuals which are part of a larger coastal population. The assessment concluded that potential disturbance impacts would be localised and short-term, and that mitigation in the form of marine mammal observers would be required to minimise impact. Any licence granted must include a condition requiring the applicant to engage a marine mammal observer for all geophysical and geotechnical activities, adhering to the national guidance for underwater noise and marine mammals (see recommended conditions – Appendix 1). It should be noted that when airguns and boomers are used in the geophysical (seismic) surveys, the current national guidance requires a 1,000 m monitored zone for marine mammals.

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 MUL application area is within the Cork Harbour WFD coastal waterbody and in the vicinity of two other waterbodies (see Table 2). The status of transitional and 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: Information on the Water Framework Directive (WFD) waterbodies in relation to the proposed site investigation activities, from the reporting period 2019–2024, including status, risk and significant issues and pressures⁵.

Waterbody name & code	Waterbody type	Ecological status & Risk*	WFD significant issues & pressures	Proposed activities within waterbody
Cork Harbour (IE_SW_060_0000)	coastal	good & at risk	Issues are nutrients & organic enrichment from urban run off and urban waste water pressures.	The activities are proposed to take place in this waterbody.
Outer Cork Harbour (IE_SW_050_0000)	coastal	good & at risk	Issue from nutrients and pressure from agriculture.	None. It is <1 km to the south of the MUL application area.
Owenboy Estuary (IE_SW_060_0800)	transitional	Moderate & at risk	Issue from nutrients and pressure from agriculture.	None. It is <2 km to the southwest of the MUL application area.

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

The proposed site investigation activities will not impact on the hydromorphological conditions in any of the WFD waterbodies. The footprint of the boreholes and grab sampler is relatively small (approximately is 0.5 m² and 0.1 m² respectively). The boreholes, once completed, will collapse naturally and will return to normal levels with tidal movements. Only minimal quantities of suspended sediments are expected to be released from these geotechnical surveys and from positioning of the jack-up barge. The seabed in the MUL application area is described as coarse substrate, which is expected to resettle quickly and to not dissipate widely. The site investigation activities will not impact on DO levels in any of the waterbodies and will not impact on physico-quality elements. There is expected to be some disturbance to benthic invertebrates from the geotechnical surveys, however it is likely that benthic species would recolonise the disturbed seabed relatively quickly. Given the nature and scale of the activities in relation to the waterbodies, the overall status of invertebrates will not be impacted.

The applicant proposes to take a number of measures to avoid water quality impacts from vessels and equipment including collection of drill arisings generated from the boreholes in a casing to prevent contact with the seawater and then bagging it and disposing of it accordingly. There will be no refuelling of vessels or equipment carried out in the MUL application area and a Project Environmental Implementation Plan will be implemented. The

⁵ Data from epa.ie/maps and www.catchments.ie.

applicant also notes that an ecologist will be onsite for the duration of the activities to ensure correct implementation of these measures. It is recommended to include a condition ensuring the holder of the licence if granted carries out the activities in line with the plans and particulars submitted with the application. A condition is also recommended to ensure the drill arisings are collected and disposed of in accordance with the relevant waste legislation. It is recommended to include a condition in any licence granted to ensure that the holder conforms to the appropriate certification standards for preventing pollution from vessels, as required by the Marine Survey Office (MSO) and that the holder is prepared for any accidental oil pollution event by having a response plan in place. Given these measures, as listed in Appendix 1, there will be no negative impact on the supporting chemical status or biological quality elements of any of the WFD waterbodies.

Given the recommended conditions as detailed in Appendix 1, there is not expected to be a deterioration in the ecological status of any WFD waterbody as a result of the proposed site investigation activities.

3.6 Environmental Impact Assessment Directive (2014/52/EU) (EIA Directive)

MARA carried out a screening for EIA of the proposed site investigation activities having considered Schedules 5 and 7 of the Planning and Development Regulations 2001 ('PDR'). An EIA Consideration Form was issued by MARA on 20/05/2025 and it was concluded that the project does not fall within the scope of the EIA Directive and therefore an EIA is not required. The conclusion was reached as the proposed activities are not listed on Part 1 of Schedule 5 of the PDR. In addition, the proposed site investigation activities are not listed on Part 2 of Schedule 5 of the PDR, in relation to projects with specific thresholds above which require EIA and below which require consideration of the criteria listed in Schedule 7 of the PDR (i.e. characteristics and location of proposed development and characteristics of potential impacts).

3.7 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 under Article 8 of the MFSD⁶ sets out the status of the 11 qualitative descriptors that describe the state of the marine environment and the pressures it faces. Table 4 sets out the current status of each of the descriptors and provides an assessment of the impacts of the proposed site investigation activities on the descriptors relevant to this application.

⁶ [Ireland's Marine Strategy Part 1: Article 8, 9 and 10 report 2024.](#)

Table 4: Assessment of impact of proposed activities on MSFD descriptors

MFSD Descriptor	Good Environmental Status achieved	Assessment
Biological diversity	Partially achieved	As discussed in Section 3.4, MARA has undertaken an AA in respect to the proposed site investigation activities. Mitigation measures have been included in the AA Report and Determination and also included in Appendix 1 of this report, which address potential impacts on biological diversity (including protected habitats and species). It is recommended to include these in any licence granted to mitigate impacts on biological diversity.
Non-indigenous species	Yes	To ensure that the proposed activities will not result in the unintended introduction of non-indigenous species, it is recommended that a condition be included in the licence, if granted, relating to the control of invasive species.
Population of commercial fish/shellfish	Partially achieved	<p>This assessment of GES for this descriptor is based on whether stocks are being fished at or below the maximum sustainable yield (MSY) and whether spawning stock biomass is above the level that can produce MSY.</p> <p>In terms of commercial fisheries, the MUL application area is within extensive cod, herring, horse mackerel and mackerel nursery grounds, and whiting spawning and nursery grounds⁷. Commercial fisheries for crustaceans occur in the vicinity of the MUL application area with year-round pot fishing for crab and lobster and shrimp potting occurring primarily during August to October. In terms of aquaculture, there is a Fishery Order shellfish aquaculture area <2 km to the northeast of the MUL application area for blue mussel (T05-002OFO). There is also a licensed aquaculture site <5 km to the northeast (Rosellen West, North and South) (T05-522B) for cultivation of bottom culture mussels.</p> <p>Fish spawning and nursery grounds have the potential to be impacted by changes in habitat conditions. Contaminants, litter, non-indigenous species and pathogens can all impact on fish and shellfish fisheries.</p> <p>It is not expected that the site investigation activities will have an impact on the spawning and nursery grounds due to the nature and scale of the activities. As discussed in</p>

⁷ Data from [Ireland's Marine Atlas](#) mapping system.

		<p>Section 3.5 the seabed habitat conditions in the MUL application area are expected to return to normal conditions relatively quickly following the surveys due to tidal movements and the relatively small footprint of the boreholes and grab sampler. As discussed in Section 3.5, recommended licence conditions to avoid impacts on water quality include collection of drill arisings, having an oil pollution emergency plan in place and conforming to the appropriate certification standards for preventing pollution from vessels, as required by the MSO. As discussed in Section 3.2 a condition is recommended to avoid the spread of invasive, or non-indigenous species from the proposed activities.</p> <p>In relation to commercial fisheries for crustaceans, the peak season for shrimp is August to October and for lobster and crab is September to October. Short term changes in crustacean behaviour and reduced catch rates have been demonstrated as a result of 3-D seismic reflection surveys involving the use of airguns. It is therefore recommended that the use of the underwater multichannel analysis of surface waves (UMASW) and seismic refraction surveys proposed by the applicant are not carried out during the months of August to October so as to minimise any impact on these fisheries (see Appendix 1).</p>
Marine food webs	Unclear	The balance and diversity in marine food webs is 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 the AA Report and Determination which accompanies this report.
Eutrophication	Yes	The proposed activity does not involve the addition of nutrients to the marine environment and as such will not impact this descriptor achieving GES. See Section 3.5 on the WFD for further discussion on water quality.
Sea floor integrity	Partially achieved	<p>The seabed habitat in the MUL application area will experience temporary disturbance due to the geotechnical activities. However, seabed habitat conditions are expected to return to normal levels relatively quickly. See Section 3.5 of this report on the WFD for further discussion on the impact on the hydromorphological conditions in Cork Harbour from the proposed activities.</p> <p>To minimise as much as possible the disturbance to sea floor integrity, it is recommended that a condition should</p>

		<p>be included in the licence, if granted, requiring the holder to consider the use of publicly available data where feasible, to avoid duplication of survey effort in the MUL application area.</p> <p>It is not expected that the activities will negatively impact on the GES status of this descriptor.</p>
Alteration of hydrographical conditions	Yes	The proposed activities will not significantly alter the hydrographical conditions (e.g. changes in wave action, currents, salinity, temperature) in the MUL application area or in Cork Harbour. There will be no impact on the GES status of this descriptor.
Concentrations of contaminants	Yes	Section 3.5 of this report outlines the conditions recommended to be included in any licence granted to mitigate against impacts on water quality from oil spillages, borehole drill arisings and pollution from vessels. Given these measures, and the nature 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	As outlined in Section 3.5 of this report in relation to water quality and WFD, measures are recommended to be included as conditions in any licence granted to prevent water quality impacts from accidental oil spillages and for the prevention of pollution from vessels. Given these measures, the activities will not 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 activities 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. The licence, if granted, will include a general condition requiring the holder to remove all plant and equipment associated with the activities and to restore the licensed area to its original condition.
Introduction of energy including underwater noise	Yes	The impacts of underwater noise introduced as a result of the proposed activities are assessed in Section 3.4 of this report and in the AA Report and Determination accompanying this report. A condition relating to minimising adverse impacts on marine mammals from underwater noise must be included in the licence, if granted. A condition relating to reducing the in-combination impacts of underwater noise on marine mammals must also be included in any licence granted (see AA Report and Determination and also Appendix 1 of this report). The impact of noise produced by seismic surveys on

		<p>crustacean fisheries is discussed in this table under Population of commercial fish/shellfish.</p> <p>In order to inform the data collected as part of MSFD requirements, it is recommended that the holder should provide details of all acoustic surveys to the Marine Environment Section of the relevant government department in the reporting format of the OSPAR Impulsive Noise Registry (see Appendix 1).</p>
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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. As discussed in Section 3.7, inshore pot fishing for shrimp occurs in the vicinity of the MUL application area mainly during August to October and crab and lobster are fished year round. Salmon draft net fishing is allowed in Cork Harbour during limited annual periods⁸. To minimise impacts with these users, it is recommended to include conditions in any licence granted to ensure that the holder does not damage or interfere with any third party's property or interfere with any fishing gear or obstruct any fishers or fishing vessels engaged in fishing (see Appendix 1). In addition, a Fisheries Liaison Officer is recommended to be engaged prior to the commencement of the proposed site investigation activities.

A Senior Marine Advisor from MARA with engineering expertise was consulted as part of this assessment. The Marine Advisor noted that the proposed activities, if granted, will be on a non-exclusive basis and together with the nature of the proposed activities, any licence granted should not significantly conflict with any existing and proposed consents or ownerships. The Marine Advisor noted the activities would not have a significant impact on coastal and seabed morphology or existing sediment transport processes.

5. Site visit

A site visit was conducted on 05/09/2025 to survey the MUL application area and surrounding environment.

6. Public consultation

A public consultation was undertaken between 22/08/2025 to 21/09/2025, under Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 and under section 117(6)(b) of the MAP Act. No submissions were received from members of the public.

⁸ Salmon draft net fishing is allowed in Cork Harbour from 12th May–31st July 2025 under [Bye-law No. 1018, 2025](#).

MARA invited observations on the MUL application from relevant public bodies and 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. The observations from the Marine Institute and the Sea-Fisheries Protection Authority are dealt with under the Department of Agriculture, Food and the Marine observations.

6.1 Public body observations

Observations summary – Marine Survey Office (MSO), Department of Transport

<p>Observations were received on 25/08/2025 from the MSO, stating no objection to the proposed site investigation activities from a navigational safety perspective.</p>
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<p>The MSO included a number of recommendations summarised as follows:</p>
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| <ul style="list-style-type: none"> • Engagement with the Port of Cork authorities on a number of matters including scheduling of the activities in the navigational channel, local notices to mariners and Navtex and radio broadcast warnings; • Ensuring that any hazards to safe navigation are easily identifiable to all mariners operating in the vicinity; • Engagement with the MSO to ensure that vessels conform to Irish Certification standards; • The requirement for a marine notice to be issued through consultation with the Department of Transport; • Engagement with other stakeholders including Port of Cork, Irving Oil Refinery, local fishers and recreational organisations; • The need to liaise with the MSO and Commissioner for Irish Lights (CIL) regarding the marking and lighting of any moored instruments, and • The particulars of information to be provided to the UK Hydrographic Office (UKHO). |
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Marine Advisor’s Response:

MARA notes the observations of the MSO. Appendix 1 includes a condition requiring the holder of the licence, if granted, to consult with the Port of Cork Company in advance of the activities to ensure potential disruption to port operations is managed. With regard to engagement with stakeholders and safety of navigation, it is recommended to include condition in any licence granted in respect of the requirement to publish a marine notice via the Marine Safety Division of the Department of Transport, prior to the commencement of activities. The application does not include moored instruments. Appendix 1 includes a condition requiring the holder to submit bathymetric data to the UKHO on completion of the activities. A condition is also included in relation to Irish Certification standards as required by the MSO – see Appendix 1 for all recommended conditions.

Observation summary – Commissioner of Irish Lights (CIL)

Observations were received on 27/08/2025 from CIL stating no objection to the granting of the licence from a safety of navigation perspective. It was noted that should any requirement arise for marine aids to navigation, a Statutory Consent would be required from CIL. It was noted that any AA conducted as part of the assessment of the MUL application should include the deployment of surface marking buoys and associated moorings.

Marine Advisor’s Response:

MARA notes the observations of CIL. The onus is on the applicant to ensure that all the required statutory consents are in place prior to the commencement of the proposed activities. All MULs granted include a standard condition stating that the MUL, if granted, does not negate the Holder’s statutory obligations or requirements under any other law. All aspects of the proposed application submitted to MARA have been considered as part of the AA Report and Determination.

Observations summary – Department of Agriculture, Food and the Marine (DAFM)

A submission was received on 19/09/2025 from the Marine Divisions of DAFM with observations provided by the Marine Institute (MI), the Sea-Fisheries Protection Authority (SFPA) and the Marine Divisions of DAFM. The Marine Institute also provided a separate observation on 18/09/2025.

Marine Institute

The MI noted that pot fishing for crab and lobster may occur in the area and that seismic reflection and airgun surveys might negatively impact on catch rates due to changes in behaviour of local stocks, depending on the proximity and intensity of the seismic activity. The MI noted that there is an oyster fishery 4 km from the MUL application area and that there is potential for increased suspended sediments from the geotechnical activities and impacts on oyster feeding due to seabed vibration with reference to research papers on pile driving. The MI commented that the AA Screening carried out by MARA was extremely precautionary, that the NIS submitted by the applicant was sufficient and that the MI had no objection to the granting of the MUL.

Sea-Fisheries Protection Authority

The SFPA noted that this area is fished for crab and lobster year-round and is fished for shrimp from August to October. The SFPA believe that the geotechnical and geophysical surveys could significantly disrupt these crustacean fisheries through benthic disturbance and sub bottom profiling. The SFPA noted that the MUL application area is 5 km

downstream from a Classified Live Bivalve Molluscan production area for oyster harvesting for human consumption. They comment that the proposed surveys could have a deleterious effect on the microbiological quality of the oysters, which is a public health risk as they may be eaten raw, noting *E. coli* in particular as being harmful and noting that 11 m³ of sediments will be generated per borehole.

Marine Divisions, DAFM

The Marine Divisions of DAFM note that the sea-fishing and aquaculture industries must be given high priority in the evaluation of the MUL application. They reference the importance of this type of food production, which forms part of the Government's Food Vision 2030 policy document. The Marine Divisions provide a summary of the SFPA and MI observations. With regard to the MI observations, the Marine Divisions comment that their own Marine Engineering Division (MED) note that the proposed site investigations will be temporary and short-term and small in the context of Cork Harbour. The MED also note that any sediment released into the water column will be localised and quickly dispersed under normal hydrodynamic conditions. It is noted that Notices to Mariners should be required to inform local fishing and aquaculture operators of the activities. In addition, they state that a Fisheries Liaison Officer is recommended where indirect impacts on traditional fishing grounds are identified. Finally, the evaluation of potential impacts on commercial sea fishing activities should be given consideration within the context of the MAP Act and the NMPF and the principles of avoiding, minimising and mitigating impacts on Fisheries and Aquaculture.

Marine Advisor's Response:

MARA notes the comments and observations provided by the Marine Divisions of DAFM, the MI and the SFPA. It is not expected that suspended sediments generated from the survey activities will impact on the bivalve production area which is approximately 4 km upstream from the MUL application area. As discussed in Section 3.5 of this report, the footprint of the boreholes and the grab samplers is relatively small (0.5 m² and 0.1 m² respectively). The figure of 11 m³ of sediments generated per borehole was clarified to be incorrect by the applicant following a request for additional information from MARA. A total of 15 m³ of sediment material will be generated in total from the 20 boreholes. These drill arisings will be collected and disposed of appropriately and thus suspended sediments are expected to be relatively small scale and localised. The observation from DAFM's MED is that any sediment released would be localised to the site and quickly dispersed under normal hydrodynamic conditions.

The observations regarding commercial crustacean fisheries have been noted including the peak fishing times for shrimp from August to October. This time period coincides with the peak landing period for crab and lobster from September to October. It is recommended that a condition be included in the licence to ensure that the seismic refraction surveys involving

the use of airguns is not carried out during the months of August to October so as to avoid a reduction in catch rates (see discussion in Section 3.7 of this report). The applicant does not propose pile driving as part of this application. As discussed in Section 4, it is recommended to require the holder of the licence, if granted, to employ a Fisheries Liaison Office to consult with the SFPA and relevant fishers and to minimise impacts on the fishing sector.

Observations summary – Geological Survey of Ireland (GSI)

Observations were received on 19/09/2025 from the GSI which recommended the use of various GSI datasets in conducting EIAR, SEA, planning and scoping processes for developments, plans and policies. The GSI requested copies of reports detailing the site investigations carried out so that they can add them to Ireland’s national database of site investigation boreholes and provided an email address for sending the data.

Marine Advisor’s Response:

MARA notes the observations of the GSI and the availability of datasets. It is recommended to include a condition in the licence to require the holder to submit details of the borehole survey data to the GSI upon completion of those surveys – see Appendix 1.

Observations summary – Inland Fisheries Ireland (IFI)

Observations were received from the IFI on 19/09/2025, noting that the applicant’s SISAA report did not mention diadromous fish (salmon, sea lamprey, river lamprey and twaite shad) being present in the area. To reduce the impact on fish species, the use of a soft-start or ramp-up procedure for any sound generating works was recommended by the IFI, both on a day-to-day basis and on re-start after any stoppages. This mitigation measure would also apply to fish species of leisure angling importance. The water quality mitigation measures in the applicant’s reports should be a condition of any licence granted and turbidity monitoring should be included in elements of the surveys.

Marine Advisor’s Response:

MARA notes the observations from the IFI. A condition is recommended in Appendix 1 relating to the implementation of risk control and mitigation measures for marine mammals in strict accordance with the most up to date national guidance on underwater noise. The national guidance includes the provision of a ramp-up (or soft-start) for geophysical surveys including when stoppages occur. Water quality mitigation measures have been incorporated into the recommended conditions. It is not considered that turbidity monitoring is required given that there will not be significant suspended sediments generated from the survey activities.

Observations summary – Department of Housing, Local Government & Heritage (DHLGH)

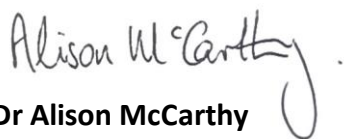
Observations were received from the Development Applications Unit (DAU) of DHLGH on 23/09/2025. The DAU notes that the MUL application area has a high potential for Underwater Cultural Heritage including protected wrecks and submerged paleolandscapes. The DAU provide details on the various legislative provisions and national policies for the protection of archaeological heritage including wrecks, objects and monuments. The DAU provide a suite of recommended conditions to be included in the licence to align with the statutory obligations and policy objectives including the provision of a Project Archaeologist, the undertaking of geophysical surveys prior to geotechnical surveys, the licensing of geophysical and dive surveys by the DHLGH and submission of relevant results and reports to the DHLGH.

Marine Advisor's Response:

MARA notes the content of the submission from the DHLGH. Section 3.1 of this report deals with underwater cultural heritage. Conditions have been recommended in Appendix 1 requiring the holder to consult with the Underwater Archaeology Unit of DHLGH prior to the commencement of the activities and to comply with all applicable requirements set forth by the Unit. A condition is also included regarding the timing of geophysical surveys prior to the geotechnical activities.

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 MAP Act, as amended, be granted to the Port of Cork Company, Tivoli Terminal Building, Tivoli Dock & Industrial Estate, Cork, T23 YNT9, for the purposes of undertaking marine environmental surveys, subject to the conditions in Appendix 1.



Dr Alison McCarthy

Senior Marine Advisor

03/11/2025

Appendix 1 – Recommended Conditions

Recommended term of licence for inclusion in the *Particulars Schedule*:

1. Recommended Term of licence to be 5 years from date of commencement.

Reason: To ensure the orderly administration of licensed maritime usages in the maritime area.

Recommended conditions for inclusion in *Appendix 2: Specific Conditions of the Marine Usage Licence, if granted.*

1. The Permitted Maritime Usage shall be carried out in accordance with the plans and particulars submitted in support of the application for this Licence.

Reason: To clarify the scope of this licence and ensure protection of the marine environment.

2. Prior to the commencement of the Permitted Maritime Usage the Holder shall consult with the Underwater Archaeology Unit of the Department of Housing Local Government and Heritage, National Monuments Service, located at G37, Custom House, Custom House Quay, Dublin 1, D01 W6X0, and comply with all applicable requirements set forth by the Unit.

Reason: To ensure protection of maritime heritage.

3. 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. This Marine Notice shall include details of the Licence Holder and the Licence Number as granted by MARA.

Reason: To ensure safe navigation in Cork Harbour.

4. The Holder shall not damage or interfere with any third party's property while carrying out the Permitted Maritime Usage.

Reason: To minimise impact on other users of the marine environment.

5. Prior to the commencement of the Permitted Maritime Usage the Holder shall consult with the Port of Cork Company to plan and schedule the Permitted Maritime Usage in order that any potential disruption to port operations is managed.

Reason: To ensure the orderly undertaking of the proposed maritime usage.

6. The Holder shall ensure that all vessels engaged in this Permitted Maritime Usage conform to Irish Certification standards for vessels, as required by the Marine Survey Office.

Reason: To ensure protection of the marine environment.

7. The Holder shall demonstrate all reasonable practical measures are taken to ensure that all vessels used in the Permitted Maritime Usage are free of invasive marine species on their hulls and in their ballast water and that all vehicles and equipment used are free of invasive marine species.

Reason: To ensure protection of the marine environment.

8. Marine Mammals

- (i) The Holder shall appoint a marine mammal observer(s) for the purposes of overseeing the Permitted Maritime Usage. The Holder shall ensure the marine mammal observer(s) shall satisfy the requirements of the most up to date national guidance. During the activity the Holder shall comply with the directions of the marine mammal observer(s).
- (ii) The Holder shall implement risk control and mitigation measures for marine mammals in strict accordance with the most up to date national guidance.
- (iii) The Holder shall, within 30 days of the completion of the Permitted Maritime Usage, forward a report of the marine mammal observer(s) operations and mitigation undertaken, to offshore@npws.gov.ie and compliance@mara.gov.ie
- (iv) The Holder shall publish the report and recording and data forms on their website within 60 days of completion of the Permitted Maritime Usage unless otherwise agreed with the Grantor

Reason: To ensure protection of the marine environment and protected species.

9. In-combination effects

- (i) Prior to the commencement of the Permitted Maritime Usage, the Holder shall coordinate with other authorisation holders carrying out geophysical, seismic and geotechnical activities within a 10 km radius of the Licensed Area.

- (ii) Where a vessel-to-vessel distance of greater than 10 km cannot be maintained with respect to geophysical, seismic and geotechnical activities, the Holder shall co-ordinate with other authorisation holders to prevent temporal overlap of the activities. Where the Holder can submit evidence that there is a vessel-to-vessel distance of greater than 10 km, no temporal co-ordination of activities is required.
- (iii) Where the Holder becomes aware of temporal overlap that cannot be resolved within the prescribed distance, the Holder shall notify the Grantor who shall determine the timing of activities.
- (iv) Records of all engagements held and agreements reached, if any, shall be maintained by the Holder and made available to the Grantor if requested.

Reason: To ensure protection of the marine environment and protected species and habitats.

10. On completion of the activity, the Holder shall provide the United Kingdom Hydrographic Office (UKHO) at <https://ukhodataupload.admiralty.co.uk/> or sdr@UKHO.gov.uk and the INFOMAR program at support@geodata.gov.ie with the final bathymetric data from this Permitted Maritime Usage so that the appropriate charts can be updated.

Reason: To ensure the safety of navigation at sea and the protection of the marine environment through availability of monitoring data.

11. The Holder, upon completion of the Permitted Maritime Usage, shall submit details of all acoustic surveys undertaken in accordance with this licence to Marine Environment, Department of Climate, Energy and the Environment at marine.env@housing.gov.ie. This data shall be provided in the reporting format of the OSPAR Impulsive Noise registry.

Reason: To ensure protection of the marine environment through availability of monitoring data.

12. Accidental events

The Holder shall ensure that there is an oil pollution emergency plan on-board any survey vessels. This plan should specify:

- (i) Information on the location and detail of spill response resources on-board;
- (ii) Information on crew training in relation to oil pollution response;
- (iii) How crew will interface with other site investigation operators, where

applicable.

Reason: To provide appropriate controls on the Permitted Maritime Usage to ensure protection of the marine environment.

13. Fisheries Liaison Officer

The Holder shall appoint a Fisheries Liaison Officer, at least two weeks prior to the commencement, and for the duration, of the Permitted Maritime Usage, to consult with the Sea Fisheries Protection Authority and relevant fishers groups in order to ensure that appropriate actions are taken to avoid or minimise any adverse interactions between the Permitted Maritime Usage and any ongoing fishing activities in the Licensed Area.

Reason: To minimise impact on other users of the marine environment.

14. While conducting the Permitted Maritime Usage the Holder shall not interfere with any fishing gear or obstruct any fishers or fishing vessels engaged in fishing.

Reason: To minimise impact on other users of the marine environment.

15. The Holder shall time the Permitted Maritime Usage to ensure that geophysical surveys are undertaken in advance of all geotechnical works to ensure potential significant effects on underwater cultural heritage are avoided.

Reason: To ensure protection of maritime heritage.

16. The Holder shall take all practicable efforts to ensure that any arisings from boring and drilling activities are collected and are stored and disposed of in accordance with the relevant National and European waste legislation and protocols as may be amended from time to time.

Reason: To ensure the protection of the marine environment.

17. The Holder shall consider any publicly available survey data, and usage of same where appropriate and feasible to do so, in order to avoid duplication of survey activity in the Licensed Area.

Reason: To ensure protection of the marine environment.

18. The Holder shall, as soon as practicable and no later than three months upon completion of the borehole survey works, submit all borehole survey data undertaken in accordance with this Permitted Maritime Usage to the Geological Survey of Ireland (GSI) of the Department of Climate, Energy and the Environment at GeologicalMappingInfo@gsi.ie and in the format requested by the GSI.

Reason: To ensure protection of the marine environment through availability of monitoring data.

19. The Holder shall not undertake underwater multichannel analysis of surface waves and seismic refraction surveys between 1st August and 31st October annually, to ensure least disturbance to inshore crustacean pot fisheries.

Reason: To ensure protection of the marine environment, fisheries and aquaculture.