

Assessment, Research and Data Unit Maritime Usage Licence Assessment Report

To:	Maritime Authorisations Unit	From:	Maria O Connell, Marine Analyst
Date	29/10/2025	Maritime Usage Licence Application No:	MUL240048
Approved by:	John Evans Director of ARD Unit.		
Applicant:	Uisce Éireann, Colvill House, 24-26 Talbot Street, Dublin 1, D01NP86.		
Type of maritime usage in accordance with Schedule 7 of the Maritime Area Planning Act, 2021 (as amended):	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.		
Location of proposed Maritime Usage:	Cork Harbour		
Licence application received:	Application submitted to Department of Housing, Local Government and Heritage on 30/09/2022 Transferred to MARA on 01/10/2024.		
Stage 2 Appropriate Assessment required:	No	Natura Impact Statement received:	Not applicable
Environmental Impact Assessment (EIA) screening:	EIA not required (EIA Screening Form dated 18/09/2025)		
Request for further information:	12/08/2025, 04/09/2025, 22/09/2025, 03/10/2025.		
Responses to requests for information received:	09/09/2025, 02/10/2025, 29/10/2025, 07/10/2025.		
Public consultation:	Not applicable		
No. of submissions received:	Not applicable		

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1.0 Background

Uisce Éireann (formerly Irish Water) submitted a foreshore licence application to the Foreshore Division of the Department of Housing, Local Government and Heritage on 30/09/2022, application ref: FS007376. The application was transferred to MARA in accordance with (5A) of Section 1E of the Foreshore Act 1933 to be assessed as an application for a Maritime Usage Licence (MUL) within the meaning of the Maritime Area Planning Act 2021 as amended (MAP Act) on 01/10/2024. The application concerns investigations involving the deployment, operation and retrieval of acoustic doppler current profilers (ADCP) at nine locations within three specific areas of Cork Harbour. The proposed maritime usage activities fall under Schedule 7(3) of the MAP Act, marine environmental surveys for the purposes of site investigation.

Uisce Éireann is Ireland's national regulated water utility responsible for the delivery of secure, safe, and sustainable water services for Ireland. The proposed maritime usage activities aim to obtain data that will enable a strategic modelling exercise which will inform the future design and installation requirements for wastewater treatment operations in Cork Harbour and its environs.

2.0 Description of proposed maritime usage and local site characteristics.

The proposed MUL area consists of three distinct areas, namely Area A, Area B and Area C (Figure 1). Within the proposed MUL area indicative locations have been proposed by the applicant.

The proposed MUL area includes:

- Area A extends from Outer Cork Harbour (approx. Carlisle Fort to Roches Point), 563Ha.
- Area B extends south and east of Great Island including the Ballinacorra river channel, 811Ha.
- Area C is located within upper Cork Harbour from Monkstown to Marino Point (West Passage), 116 Ha.

The total combined proposed MUL area is 14.9km². The maximum distance to land from an ADCP deployment site is recorded as 1.2km and minimum distance is 0.08km. Uisce Éireann have applied for a 5-year licence term, attributing this duration to the dynamic nature of the natural environment, procurement requirements and also to ensure a level of resilience to adapt project timelines should unexpected delays occur. Details of the proposed marine environmental surveys are outlined in Table 1 below.

This region is a strategic shipping hub catering for both cargo and passenger ships, aquaculture and recreational boating. To ensure safe passage for vessels regular maintenance dredging takes place to maintain appropriate water depths. Large urban centres of population such as Cork City, Middleton, Cobh and Carrigaline are located along the shoreline of Cork Harbour.

Table 1. Details of the proposed maritime usage activities.

Proposed maritime usage activities	Estimated duration
<p>Deployment of ADCPs</p> <p>The units will be deployed from the deck of a vessel onto the seabed at nine locations, where they will remain fully submerged throughout the tidal range. Each ADCP will be contained within a trawl resistant bottom mount frame. The dimension of each frame is <i>ca.</i> 1.8m x 1.3m x 0.6m and the weight of each frame will be approximately 300kg.</p>	1 day per ADCP unit
<p>Operation of ADCPs</p> <p>A lead ballast will secure the frame to the seabed where it will remain fully submerged during the full tidal range at each location (at water depth of no less than 5 m). The height of the frame is approx. 558mm. The unit is attached to a ground line, a clump weight and to an acoustic release system carrying a rope retrieval system. During operation the units will emit “pings” of sound in the range of 600 Khz or 1 Mhz at a sampling rate of 1-minute average every 10 minutes.</p>	Approx. 35 days in situ per unit.
<p>Recovery of ADCPs</p> <p>Recovery is facilitated by a hydrostatic release which sends a ranging ping to a release mechanism which if successful 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.</p>	1 day per ADCP unit.

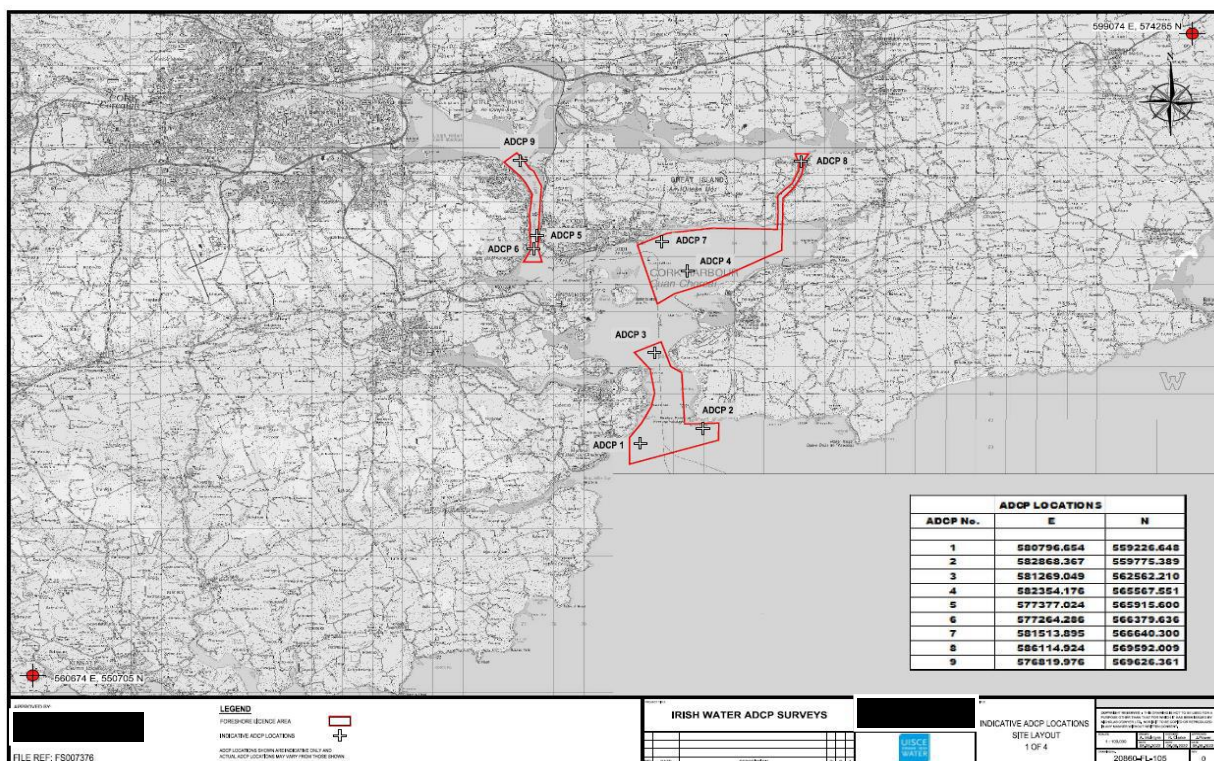


Figure 1 Map detailing the location of study Areas A, B, C and indicative sites for the deployment of ADCPs.

3.0 National Policy and EU Directives

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)

The Marine Planning Policy Statement (MPPS) outlines the government's overarching vision, policies and principles for managing the country's maritime area. The National Marine Planning Framework (NMPF) sets the framework for implementing the forward planning component of our marine planning system as set out in the MPPS.

The proposal by Uisce Éireann to undertake surveys to assist in the delivery of wastewater infrastructure aligns with the following policies outlined in the NMPF: Wastewater Treatment and Disposal Policy 1 and 2.

The NMPF includes a policy on heritage assets (Heritage Assets Policy 1). 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 proposed ADCPs will not impact on any underwater cultural heritage.

Considering the above, and the information submitted by the applicant in their supporting documents, I am satisfied the proposed works align with at least two objectives and does not act significantly against any other objective of the NMPF.

3.2 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, if granted, to address the potential risks from invasive alien species.

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

MARA issued an Appropriate Assessment (AA) Screening Determination on 08/10/2025 which concluded that it can 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 a European site. It was concluded that the proposed maritime usage will not require Stage 2 Appropriate Assessment.

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 Risk Assessment in support of the application. The risk assessment addressed marine mammal activity in the vicinity of the proposed MUL area and the potential impacts on marine mammals with respect to visual and acoustic disturbance. The proposed ADCPs will be operating in the range of 600 Khz or 1 Mhz and as such are outside of the recorded auditory range of marine mammals indicated in national guidance¹. Cork Harbour is a busy port, and the proposed vessel will not significantly increase vessel disturbance within the area. No significant impact is predicted on any marine mammals as a result of underwater noise or disturbance. The applicant has confirmed that a derogation under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended is not required.

¹ [Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters, NPWS 2014](#)

3.4 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 Status in inland surface waters, transitional waters, coastal waters and groundwater by 2027, at the latest.

The proposed locations for the deployment of the ADCPs are located in the transitional waters of Lough Mahon (IE_SW_060_0750), North Channel Great Island (IE_SW_060_0300) and the coastal waters of Cork Harbour (IE_SW_060_0000) as well as Outer Cork Harbour (IE_SW_050_0000).

All areas are at ‘at risk’ of failing to meet the objectives of the WFD by 2027 in the most recent EPA *Water Quality in Ireland* report (2016-2021). Due to the scale, nature and duration of the proposed maritime usage, it is not expected that there will be any resulting contributory impact on the waterbody classifications in this region. However, it is recommended that conditions be included in the licence, if granted, to address the potential risks from the operation of the vessel used for the deployment and retrieval as per the requirements of the Marine Survey Office and to ensure the holder is prepared in advance of any accidental oil pollution event by having an oil spill response plan on board.

3.5 Marine Strategy Framework Directive (2008/56/EC)

The Marine Strategy Framework Directive (MSFD) sets the framework for European marine environmental policy. It aims to achieve Good Environmental Status (GES) for all marine waters in Europe and protect the resource base for marine related economic and social activities. The 2024 assessment under Article 8 of the MSFD² states that GES has not been achieved for marine litter and biodiversity. Table 2 provides an assessment of the impacts of the proposed maritime usage on the MSFD descriptors relevant to this application.

Table 2: Assessment of MSFD descriptors in relation to this maritime usage licence application.

MSFD Descriptor	Good Environmental Status achieved	Assessment
Biological diversity	Partially achieved	The applicant submitted an Annex IV risk assessment and Supporting Information for Screening for Appropriate Assessment (SISAA) report as part of the licence application. In view of the information provided the potential for survey activities to be at a level and duration that would significantly impact biological diversity is not considered likely.
Non-indigenous species	Yes	To ensure that the proposed maritime usage does not result in the unintended introduction of non-indigenous species, it is recommended to include a condition relating to the control of invasive species

² [Ireland's Draft Marine Strategy Part 1: Article 8, 9 and 10 report 2024.](#)

		from the hulls and ballast water of relevant vessels as well as all equipment used.
Population of commercial fish/shellfish	Partially achieved	The proposed maritime usage will not result in either incidental bycatch or a significant disturbance to population size of commercially exploited stocks. There are two licensed (DAFM) aquaculture sites in proximity to the proposed MUL areas as follows: T05-294A: Pacific oyster (North of Great Island and T05-522B: Blue mussel (Southeast of Great Island). Considering the location, scale and nature of the proposed maritime usage, minimal impact upon existing licensed aquaculture operations is expected.
Marine food webs	Unclear	The balance and diversity in marine food webs will not be impacted as a result of the proposed maritime usage.
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	The proposed maritime usage involves minimal interaction with the sea floor. Given the small-scale nature and duration of the proposed maritime usage, no potential for significant impact has been identified.
Alteration of hydrographical conditions	Yes	The proposed maritime usage will not alter the hydrographical conditions in Cork Harbour.
Concentrations of contaminants	Yes	The licence, if granted, will require inclusion of a condition relating to preparation of an oil pollution emergency plan to mitigate for any accidental introduction of contaminants to the marine environment. A condition will also require vessels engaged in the proposed maritime usage conform to all certification standards for vessels, as required by the Marine Survey Office (Ireland).
Contaminants in fish/seafood for human consumption	Yes	The proposed maritime usage will not lead to contaminants in fish or seafood. The licence, if granted, will require vessels to conform with all relevant certification on environmental, health and safety requirements and hold an emergency response plan on board.
Marine Litter	No	While the proposed maritime usage will not result in additional marine litter being introduced to the marine environment, it is noted that all MULs include a standard condition to ensure at the expiration or termination of the Licence, the Holder shall remove all plant, machinery, equipment or any other thing used in connection with the Permitted Maritime Usage from the Licensed Area.
Introduction of energy including underwater noise	Yes	The impacts of underwater noise introduced as a result of the proposed maritime activity have been considered in Section 3.3 of this report and will not be significant.

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

MARA carried out a screening for EIA of the proposed maritime usage having considered Schedules 5 and 7 of the Planning and Development Regulations 2001 as amended. An EIA Screening Form was issued by MARA on 18/09/2025 and it was concluded that the project does not fall within the scope of the EIA Directive and therefore an environmental impact assessment is not required.

3.7 Climate Action and Low Carbon Development Act, 2015 as amended.

Section 15(1) of the Climate Action and Low Carbon Development Act 2015 (the Climate Act) as amended 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 Climate Act sets legally binding targets for the reduction of greenhouse gases by 2030 and net-zero emissions by 2050 and requires the development of both mitigation and adaptation measures on a sectoral and local basis. The Climate Action Plan 2025, Cork City Climate Action Plan 2024- 2029 and Cork County Council Climate Action Plan 2024- 2029 were reviewed. Considering the temporary and short-term nature of the proposed maritime usage, no significant increases in carbon emissions are expected and in terms of adaptation the data obtained from this proposed maritime usage will be used to inform design of future wastewater treatment in the Cork Harbour region.

4.0 Consideration of other Maritime Users

I have consulted with a MARA Senior Marine Advisor with engineering expertise in relation to estate management and no conflicts were identified. It should be noted that all MULs include a condition as standard stating that MUL permits the holder to carry out the proposed maritime usage, on a non-exclusive basis. It is recommended that a specific licence condition be included requiring the Holder to engage with the relevant harbour authority prior to scheduling the proposed maritime usage to ensure there is no disruption to normal port operations. In addition, conditions are recommended to ensure the holder does not damage or interfere with any third party's property, or fishing gear or obstruct fishers or fishing vessels.

5.0 Public Body Consultation

MARA invited observations on the licence application from relevant public bodies. Two observations were received. The following table summarises the observations received, however the MARA website should be consulted for full details of the observations.

Submission 1: Commissioners of Irish Lights

Observations summary
<p>A submission was received from the Commissioners of Irish Lights (CIL) on 02/10/2025, who hold no objection to the proposed maritime usage from a navigational safety perspective. The CIL also had the following observations:</p> <ul style="list-style-type: none"> • Should any requirement arise for marine aids to navigation, such aids will require a Statutory Consent from CIL via the Local Lighthouse Authority 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.

MARAs response:

MARA notes the observations from the Commissioners of Irish Lights. Whereby the deployment of marine aids to navigation is required as a component of a maritime usage, this activity requires statutory consents from CIL via the Local Lighthouse Authority under the Merchant Shipping Act. It should be noted that the 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 MULs include a condition as standard, stating that the MUL does not negate the holders' statutory obligations or requirements under any other law. All aspects of the proposed application submitted to MARA have been considered as part of MARA's AA Screening Determination. The proposed maritime usage screened out for Appropriate Assessment.

Submission 2: Marine Survey Office

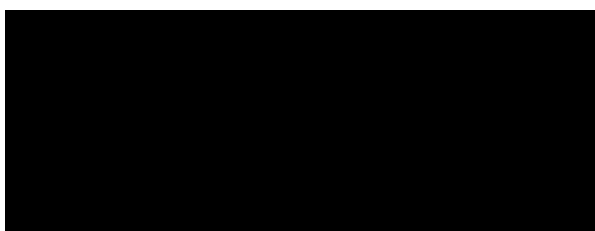
Observations summary
<p>Observations were received from the Marine Survey Office (MSO) on the 15/10/2025, who hold no objection to the proposed maritime usage from a navigational safety perspective. The MSO recommended conditions to be applied to the licence if granted, which relate to:</p> <ul style="list-style-type: none"> • Navigational safety, • The need for vessels to be suitably certified and operated by suitably qualified personnel, additionally where equipment is carried an Irish Load line survey may be required. • The requirement for a marine notice to be issued, • The requirement for Navtex and radio broadcast warnings, • The need to liaise with the MSO, Port of Cork and CIL regarding the marking and lighting of any moored instruments or barges in accordance with IALA requirements, and • The particulars of information to be provided to the UK Hydrographic Office (UKHO).

MARAs response:

MARA has reviewed and had regard to the points raised in the observations of the MSO. Specific conditions are recommended to be included in the licence granted with respect to the requirement to publish marine notices and the need for vessels to conform with the requirements of Irish certification standards. In addition, MARA is required to have regard to the rights of the public or any class of the public over the foreshore in relation to navigation and navigational safety – this requirement has been incorporated into our overall assessment of the licence application.

6.0 Recommendation

Having considered the information submitted in support of the application, I recommend that a Maritime Usage Licence in accordance with Section 119 of the Maritime Area Planning Act, 2021, as amended, be granted to Uisce Éireann, Covill 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) of MAP Act) subject to the conditions outlined in Appendix 1.



Maria O Connell

Marine Analyst

29/10/2025

Appendix 1:

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

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. 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.

3. 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.

4. 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.

5. 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.

6. 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 ballast water and that all equipment used in the permitted maritime usage is free of invasive marine species.

Reason: To ensure protection of the marine environment.

7. 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

8. 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.