

Maritime Usage Licensing and Planning Advisory Directorate			
Maritime Usage Licence Assessment Report			
To:	John Evans, Director	From:	Tom Manning Marine Analyst
Date:	16/03/2026	Maritime Usage Licence Application No:	MUL250013
Applicant:	Uisce Éireann, Colvill House, 24-26 Talbot Street, Mountjoy, Dublin		
Licence application received:	01/09/2025		
Types of maritime usage activities in accordance with Schedule 7 of the Maritime Area Planning 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 usages:	Greater Dublin Drainage Scheme, Irish Sea and Baldoyle Bay		
Environmental Impact Assessment (EIA) Screening	EIA not required (EIA screening form dated 19/11/2025)		
1st request for additional information (RAI) issued:	24/10/2025	Response to 1 st RAI received	17/11/2025
Notice requesting Natura Impact Statement (NIS) issued:	n/a	Date NIS received:	01/09/2025
Public body consultation:	14/10/2025 – 13/11/2025	Observations from public bodies received:	7 No.
Public consultation:	23/01/2026 – 23/02/2026	Submissions from the public received:	1 No.

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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 purposes of site investigation, falling under Schedule 7(3) of the Maritime Area Planning Act 2021 as amended (the MAP Act). The proposed maritime usage (the proposed site investigations) is required to inform the construction stage and the detailed engineering design of the marine elements of the Greater Dublin Drainage project, which will provide additional wastewater infrastructure for the Greater Dublin Area.

The applicant submitted a planning application to An Coimisiún Pleanála for the Greater Dublin Drainage Project consisting of a new wastewater treatment plant, sludge hub centre, orbital sewer, outfall pipeline and regional biosolids storage facility (ref. ABP 312131), which was granted on 9th July 2025.

The applicant previously held a Foreshore licence for site investigations for designing a marine outfall for the Greater Dublin Drainage, which was granted by the then Minister for Environment, Community and Local Government in 2015 (ref. FS006292).

2. Location and Description of the Proposed Maritime Usage

The applicant proposes to undertake marine site investigations in Baldoyle Bay and the Irish Sea. The site investigations will comprise geophysical surveys including bathymetric surveys, geotechnical investigations and environmental surveys (Table 1). The applicant expects that the proposed maritime usage will take 8 weeks to complete. The applicant has applied for a licence duration of five years to allow for uncertainties around weather, contractors and equipment availability.

Table 1: Marine site investigations proposed to be undertaken in Baldoyle Bay (MUL Area A) and the Irish Sea (MUL Area B).

Baldoyle Bay (MUL Area A)	Irish Sea (MUL Area B)
Geophysical inter-tidal surveys (below HWM, undertaken at Baldoyle Bay at low tide) Seismic Refraction, Ground Penetrating Radar or Electrical Resistivity Tomography and Topographical land surveying techniques.	No intertidal geophysical site investigations proposed.
Marine Bathymetric surveys Multi Beam Echosounder Side Scan Sonar Vessel Positioning System: Ultra short	Marine Bathymetric surveys Multi Beam Echosounder Side Scan Sonar Vessel Positioning System: Ultra short

baseline (UBSL)	baseline (UBSL)
Marine Geophysical Surveys, Ultra-High Resolution Seismic (UHRS), boomer or sparker Sub-bottom profiler (SBP) Vessel Positioning System: UBSL	Vessel Positioning System: UBSL
No grab sampling proposed	Benthic Grab sampling (48 No.)
Intertidal Geotechnical Surveys Rotary core boreholes, Cone penetration testing at intertidal borehole locations (4 No.)	Marine Geotechnical Surveys (undertaken from survey vessel(s) or jack-up barge; JUB) Rotary core boreholes (10 No.) Cone penetration testing (CPT) at borehole locations.
No drop down video survey proposed.	Drop-down video (DDV) and/or Remotely Operated Vehicles (ROV) survey
Magnetometer survey undertaken from survey vessel	Magnetometer survey undertaken from survey vessel
No water Quality Sampling proposed	Water Quality Samples: Conductivity, Temperature and Depth Measurements.

2.1 Brief description of the site characteristics

The MUL Area comprises Area A within Baldoyle Bay and Area B extending into the Irish Sea approximately 10 km east from Portmarnock Beach. The total combined MUL Area encompasses an area of 748.6 ha.

Area A is within Baldoyle Bay, which comprises a tidal estuarine bay of approximately 35 ha protected from the open sea by a sand dune system. There are intertidal flats of mostly sands with muddier sediments in the inner sheltered parts of the estuary. There are also areas of *Spartina anglica* in the inner estuary as well as *Zostera* spp., areas of saltmarsh and mats of *Enteromorpha* spp. and *Ulva* spp. in the summer months.

Area B in the Irish Sea covers an area of 713.6 ha consisting of moderate energy sand and moderate and high energy coarse sediment, infralittoral fine sand or Infralittoral muddy sand and circalittoral sandy mud with depths ranging from 0-50 m.

Underwater Cultural Heritage.

The NMPF includes a policy on Heritage Assets, 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. There are no known archaeological or cultural heritage assets in immediate proximity to MUL Area A (Baldoyle Bay). The potential for unrecorded archaeological or cultural heritage assets at this location is considered to be low.

There are recorded archaeological assets, mainly wrecks, that have been identified by the applicant around MUL Area B. The proposed mitigation for cultural heritage by avoidance will be ensured by the implementation of 'Archaeological Exclusion Zones', which will prohibit intrusive site investigations around recorded cultural heritage assets. The extent of these will vary depending upon the location and size of the archaeological record relative to the location of the site investigation (SI) activities and will be agreed in consultation with the NMS.

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. This condition is included in the Proposed Licence.

In addition, a condition be included in the Proposed Licence, requiring the holder to consult with the NMS prior to the commencement of the activities and to comply with their requirements in relation to underwater cultural heritage.

These measures will prevent impacts on underwater cultural heritage.

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

MARA carried out a screening for EIA of the proposed site investigations having considered Schedules 5 and 7 of the Planning and Development Regulations 2001. An EIA Screening Form was issued by MARA on 19th November 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. A condition is included in the Proposed Licence to address the potential risks from invasive alien species as a result of the use of survey vessels and equipment proposed. Sections 3.5–3.8 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.

3.4 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. There will be no appreciable impacts on greenhouse gases as a result of the proposed site investigations.

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 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.

The proposed licence area at Baldoyle Bay is in the Mayne_SC_010 WFD transitional waterbody, which is 'at risk' or of poor ecological status due to diffuse urban sources of pollution. The proposed site investigations would not cause water quality pressures due to nutrient enrichment or a deterioration in the ecological status of this waterbody. Due to the dynamic estuarine and marine environment within the MUL Area and the limited scale and temporary nature of sampling to be undertaken, it is anticipated that there will be rapid recovery of benthic habitats over a number of tidal cycles.

For the Irish Sea Dublin WFD Coastal Waterbody (HA 09), given the localised nature of disturbance and short timescale of impacts, impacts to benthic habitats or water quality from the proposed site investigations would not result in any deterioration of WFD status. Nonetheless, to ensure water quality is not impacted, a condition is included in the Proposed Licence in respect of accidental pollution events and a condition ensuring vessels conform to Irish Certification Standards.

Given the localised nature of disturbance and short timescale of impacts as a result of the proposed site investigations, there will be no impacts on water quality and no deterioration of the ecological status of any WFD waterbody. It is also noted that the overall Greater Dublin Drainage project will improve water quality in these waterbodies via improved waste water infrastructure.

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 waterbodies¹.

Waterbody name & code	Waterbody type	Ecological status & Risk*	WFD significant pressures	Proposed activities within waterbody
Mayne_SC_010	Transitional	Poor ecological status. At Risk	Nutrients and diffuse urban sources of pollution are the significant pressures.	No deterioration of the water body's status is anticipated as a result of the proposed Site Investigations
Irish Sea Dublin (HA 09)	Coastal	Good Not at Risk	Urban and domestic waste water discharges	No deterioration of the water body's status is anticipated as a result of the proposed Site Investigations

*At risk means at risk of not achieving good status by 2027; not at risk means no risk in maintaining current 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. The proposed site investigations will not impact on Ireland maintaining GES in the relevant descriptors. Ireland's 2024 assessment² under Article 8 of the MSFD sets out the status of the 11 qualitative descriptors that describe the state of the marine environment. Table 3 sets out the status of the relevant descriptors and assesses the potential impacts of the proposed activities.

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

MFSD Descriptor	Good Environmental Status achieved	Assessment
Biological diversity	Partially achieved	MARA has undertaken an AA and in respect to the proposed site investigations (see Section 3.8). Mitigation measures in relation to potential impacts

¹ From www.catchments.ie

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

		on biological diversity have been included in the Proposed Licence.
Non-indigenous species	Yes	To ensure that the proposed site investigations will not result in the unintended introduction of non-indigenous species, a condition is recommended in the Proposed Licence relating to the control of invasive species.
Population of commercial fish/shellfish	Partially achieved/Yes	Due to the localised nature and short duration of the proposed site investigations there will be no impact on spawning or nursery grounds or aquaculture sites.
Marine food webs	Unclear	The balance and diversity in marine food webs is not expected be impacted as a result of the proposed activity.
Eutrophication	Yes	The proposed site investigation activities do 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 seabed habitat in the MUL application area will experience small scale, temporary disturbance due to the geotechnical activities. However, rapid recovery of sedimentary habitats over a number of tidal cycles will result in seabed habitat conditions returning to normal levels relatively quickly. It is not expected that the activities will negatively impact on the GES status of this descriptor.
Alteration of hydrographical conditions	Yes	The proposed activities will not alter the hydrographical conditions (e.g. changes in wave action, currents, salinity, temperature) in the MUL application area. There will be no impact on the GES status of this descriptor.
Concentrations of contaminants	Yes	GES has been largely achieved for concentrations of most contaminants in seawater, sediments and biota in Irish coastal and marine waters. Given the nature and duration of the proposed activities, it is not expected that the maritime usage will negatively impact on the GES status of this descriptor. The Proposed Licence includes a condition relating to preparation of an oil pollution emergency plan to mitigate for any accidental introduction of contaminants to the marine environment.
Contaminants in fish/seafood for human consumption	Yes	The proposed maritime usage activity will not result in the introduction of contaminants in fish or seafood.

Marine Litter	No	The proposed site investigations 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	<p>The impacts of underwater noise introduced as a result of the proposed site investigations are assessed in the Appropriate Assessment section of this report (Section 3.8). The applicant proposes the mitigation measures of the Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters³, which is recommended as a condition relating to mitigation of underwater noise disturbance if the licence is granted (see Proposed Licence).</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 Department of Climate, Energy and the Environment in the reporting format of the OSPAR Impulsive Noise Registry (see Proposed Licence).</p>

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. In the risk assessment the applicant proposes the mitigation measures of the Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters³. Any recommendations in the risk assessment regarding Annex IV species are included as conditions in the Proposed Licence. With these measures, the conservation status of Annex IV species will not be impacted by the proposed site investigations.

The applicant has stated 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.

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

³ [DAHG, 2014](#)

No

application was subject to screening for appropriate assessment (AA) by MARA in accordance with the Regulations. MARA made an Appropriate Assessment (AA) Screening Determination on 19/11/2025, which concluded that the proposed site investigations 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.

Twelve European Sites were screened in for appropriate assessment by MARA. These included 4 No. Special Areas of Conservation (SAC) and 8 No. Special Protection Areas (SPA). These European sites, their Qualifying Interests (QIs) also referred to as Special Conservation Interests (SCIs) for the SPA sites and 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.

3.8.1 Assessment of Likely/Potential Impacts on European Sites

The impacts identified in the AA Screening Determination were (i) habitat loss or damage to QI sedimentary or hard substrates at Baldoyle Bay SAC and Rockabill to Dalkey Island SAC, (ii) underwater noise impacts on marine mammals at Rockabill to Dalkey Island SAC, Lambay Island and Codling Fault Zone SACs; and (iii) above water noise and visual disturbance and underwater noise on SPA Species of Conservation Interest. This section discusses those impacts individually. Any mitigation measures recommended on foot of the assessment in this section are included in the Proposed Licence.

Potential Habitat Loss or disturbance

MUL Area A

There will be no adverse effects on the ecological integrity of soft sedimentary habitats within Baldoyle Bay SAC due to works associated with the geophysical component of the proposed site investigations. The sediment removed by 4 no. coring tests within MUL Area A constitutes a very small area of potential Annex 1 mudflat and sandflat habitat not covered by seawater at low tide (<5m²) and will not result in adverse effects on the ecological integrity of the site due to habitat loss or disturbance. It is considered that intertidal mudflats and sandflats will recover following completion of the site investigations over a number of tidal cycles and these sedimentary habitats would recover from potential impacts due to the dynamic nature of the environment.

The geophysical and geotechnical site investigations, including coring within Baldoyle Bay does not require the use of a Jack Up Barge platform. Access to sampling points will be via crossing the intertidal area, including Salt Meadow Qualifying Interests, however it is noted that intrusive surveys will not take place directly within Salt Meadow habitats and therefore, no direct habitat loss is expected. Access to the proposed site investigation locations across the Salt Meadow habitat has the potential to cause habitat disturbance by compression of this Qualifying Interest due to the placement of bogmats. The use of bogmats is proposed to

enable movements of machinery or vehicles over soft sediments to the target survey locations. However it is expected that the saltmarsh habitat will recover once the bogmats have been removed.

The applicant has stated that in advance of bogmat placement, that estuarine survey data will be reviewed and a suitably experienced and qualified ecologist will identify and delineate the most suitable areas for bogmat placement. This proposed measure will minimise disturbance impacts on the Salt Meadow Qualifying Interest. While there may be some unavoidable disturbance by compression of Salt Meadow habitats during the proposed site investigations from the placement of bogmats, with proposed mitigation this is likely to be temporary and will not have adverse effects on the ecological integrity of the habitat as recovery of the habitat will occur once bog mats are removed. A condition is therefore recommended to ensure an ecologist is onsite to minimise disturbance during the placement of bog mats for the proposed intertidal surveys (see Proposed Licence).

MUL Area B

The eastern end of MUL Area B overlaps Rockabill to Dalkey Island SAC, including a small section of Reef habitat to the northwest of Irelands Eye, however the proposed geotechnical and grab sampling site investigations do not directly overlap with Mapped Annex 1 reef.

In addition to avoiding mapped reef habitat it is proposed by the applicant that backscatter data from side scan sonar as part of the geophysical survey and survey data from Uisce Éireann will be used to ensure reef habitat is avoided.

There will therefore be no adverse effects on the ecological integrity of Reef habitat due to the marine geotechnical or benthic sampling components of proposed site investigations. A condition is therefore recommended in the licence for the avoidance of Annex I Reef and that geophysical survey takes place in advance of the geotechnical components of the site investigation.

Underwater noise disturbance

MUL Area A

The underwater noise produced from the bathymetric and geotechnical components of the proposed site investigations will not have any significant effects on Qualifying Interest species or Special Conservation Interests (birds) listed within designated European Sites (see Appendix 1) due to the scale, duration and magnitude of the proposed site investigations. It is noted in the Annex IV Risk Assessment submitted by the applicant that QI marine mammal species are unlikely to be present within Baldoyle Bay. The proposed site investigations would therefore have no adverse effects on marine mammals or SCIs from potential disturbance by underwater noise within designated European Sites due to the proposed site investigations in MUL Area A.

MUL Area B

The geophysical and geotechnical survey activities may have a temporary disturbance impact on marine mammals and seabirds foraging in the vicinity of those activities. However, due to the low magnitude and short duration of the underwater noise as part of the proposed site investigations there will be no adverse effects on the integrity of those European sites listed in Appendix 1. The likelihood of diving seabirds being in the vicinity of the noise generating activities is low, due to the surface activity associated with such operations disturbing the birds prior to commencement of the underwater noise.

Notwithstanding the JNCC recommended effective deterrence range of 3km⁴ for the relevant equipment involved in the proposed activities, there is a low risk of exceedance thresholds for Harbour Porpoise from the proposed site investigations that could affect the integrity of QI populations within the Rockabill to Dalkey Island SAC, which overlaps with MUL Area B, or in Lambay Island SAC or Codling Fault Zone SAC.

Standard risk avoidance and/or risk reduction measures will be in place on geophysical, bathymetric and geotechnical survey vessels, in order to be consistent with the Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters (DAHG, 2014) (see Marine Mammal condition in the Proposed Licence).

Above water noise and visual disturbance

MUL Area A

The primary consideration for bird disturbance due to the proposed site investigations is in relation to populations of wintering waterbirds within the Baldoyle Bay SPA. This could be caused by disturbance by displacement as overwintering birds are sensitive to energy demands during winter, with short days and cold temperatures requiring them to consume more calories to maintain body heat and build fat reserves for survival and spring migration.

This will be avoided by a condition in the Proposed Licence that geotechnical and geophysical surveys will not be carried out within MUL Area A during the overwintering period (October to March, inclusive) in order to avoid disturbance to populations of wintering waterbirds in Baldoyle Bay SPA.

MUL Area B

Possible above water noise and visual disturbance temporal impacts on SCIs within the Irish Sea SPA sites at North Bull Island SPA, Malahide Estuary SPA, South Dublin Bay and River Tolka Estuary SPA, Lambay Islands SPA, Rogerstown Estuary SPA and Skerries Islands SPA, would be of small scale and short duration and the proposed site investigations are unlikely to have an adverse effect on designated SCI species.

⁴ [JNCC Report 803](#)

However, as a precautionary measure, in order to ensure there is no visual and above-water disturbance effects to nesting bird species at Ireland’s Eye SPA, which overlaps with MUL Area B, the following mitigation measure will be implemented by a condition to the licence that site investigations will not be undertaken within Ireland’s Eye SPA during the breeding season (April to July, inclusive).

3.8.2 Assessment of In-combination effects

The potential impacts of the proposed site investigations must be considered individually and also in combination with other plans or projects. All types of 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 5 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 the bathymetric and geophysical survey methods proposed and the *Effective Deterrence Range* of 3km for Harbour porpoise, given their known sensitivity to anthropogenic noise sources (JNCC, 2025). The temporal scope of the in-combination assessment is based on the period over which the activities are proposed. The applicant has applied for a 5-year licence and thus the temporal scope is considered as 5 years.

Table 5. Potential sources of impact that could act in-combination with the application

Impact	Potential Cumulative Pathway
Habitat Loss or damage	Pathway for physical removal or damage to intertidal or benthic habitats or where there is spatial and temporal overlap with other intrusive geotechnical or sampling projects.
Underwater Noise	Pathway for behavioural disturbance where there is spatial and temporal overlap with other underwater noise producing projects.
Above water noise and visual disturbance on birds	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.

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

Habitat Loss or damage

No plans or projects have been identified that would overlap spatially with the proposed site investigations that could cause cumulative impacts to occur due to pressures of habitat loss or damage to QI habitats within designated European sites (see Appendix 1)

Disturbance and displacement from underwater noise

There is the potential for increased underwater noise disturbance effects if other relevant projects, capable of producing underwater noise sources that would cause behavioral responses, were to take place at the same time.

Above water noise and visual disturbance and displacement

There is the potential for increased visual and above water noise disturbance on birds if other sound generating projects were to spatially and temporarily overlap. However due to the proposed mitigation by seasonal restriction there would be no potential temporal overlaps for this pressure to have cumulative impacts that would have adverse effects on the QI or SCI of any European Sites.

Identification of Plans or Projects that could act in combination

A search was carried out on 06/03/2026 of relevant databases (including EPA, An Coimisiún Pleanála, Foreshore Unit, MARA, planning authorities) for other plans and projects with characteristics that may cause in-combination effects with the proposed site investigations, on the QIs of the European sites identified in Appendix 1. The projects shown on Table 6 are within the spatial and temporal scope of the proposed site investigations.

In the absence of mitigation measures, the proposed SI works could act in-combination with other site investigations, where there is a temporal overlap of underwater noise pressures, to result in likely significant effects on the conservation objectives of the European sites.

Table 6: Projects identified with the potential to have in-combination effects given the nature and location of the activities

Application Ref.	Project description	Approx. distance from MUL application area (km)	Project Status
LIC230018	Microsoft Ireland (Site investigations)	<3km	Licensed

The following plans were identified as having the potential to result in in-combination effects.

- Water Action Plan 2022-2027,
- Fingal Development Plan 2023-2029

In-Combination Effects Assessment conclusion

Due to the absence of spatial overlap there are no plans or projects identified that would cause cumulative habitat loss or damage or above water noise and visual disturbance pressures in proximity to the MUL application area.

In relation to underwater noise pressures where the site investigation works are to take place within 3 km of and at the same time as other licensed activities, Uisce Éireann will coordinate with other licence holders to ensure that there will be no spatial overlap between the SI geophysical and bathymetric activities and geophysical and bathymetric activities by other Licence holders.

Following implementation of these measures, there will be no adverse in-combination effects on European sites.

3.8.3 Mitigation measures

Habitat Loss or damage

- The Holder shall ensure that an ecologist will be on site during all intertidal surveys carried out as part of this Permitted Maritime Usage in order to minimise disturbance and ensure site integrity is maintained.
- Any temporary access arrangements or structures that are put in place to allow machinery access to the shore area, shall be prepared or installed in consultation with the ecologist. The site should be fully reinstated post works.
- No geotechnical activities shall take place in Reef habitat in Rockabill to Dalkey Island SAC (EU Annex 1 habitat code 1170).

Underwater noise

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

Birds

The Holder shall not undertake geotechnical and geophysical surveys as follows:

- i) within Baldoyle Bay SPA during the period October to March, and
- ii) within Ireland's Eye SPA during the period April to July.

In-combination mitigation

- (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 3 km radius of the Licensed Area.
- (ii) Where a vessel to vessel distance of greater than 6 km cannot be maintained with respect to geophysical, seismic and geotechnical activities, the Holder shall coordinate 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 6 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.

3.8.4 Residual effects

This assessment has identified likely/potential significant impacts on European Sites and their conservation interests in Section 3.8 and recommends mitigation measures as conditions in the Proposed Licence. 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.

3.8.5 Assessment of Transboundary effects

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

3.8.6 Appropriate assessment conclusion

The appropriate assessment screening process identified likely/potential significant impacts due to (i) habitat loss or damage; (ii) disturbance from underwater noise and; (iii) visual and above water noise disturbance on birds. Likely significant impacts from the proposed site investigations could not be ruled out, beyond reasonable scientific doubt, without mitigation. The potential for in-combination effects from the proposed site investigations with other plans and projects could not be ruled out, beyond reasonable scientific doubt, without mitigation.

Mitigation measures were identified to ensure that impacts on European sites and their QIs and SCIs do not occur. Therefore, with adherence to the mitigation measures specified in Section 3.8.3 and in view of best scientific knowledge, and of the sites' 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 in the Proposed Licence to ensure minimal disruption to other users including consulting with other authorisation holders carrying out geophysical, seismic and geotechnical activities within a 3 km radius of the Licensed Area and the publication of a Marine Notice with the Marine Safety Policy Division, Department of Transport in order to minimise any adverse interactions between the Permitted Maritime Usage and any ongoing fishing or other activities.

5. Site visit

No site visit was undertaken.

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 application area. Six 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.

1. Bord Iascaigh Mhara (BIM) Observations summary

Observations were received on 06/10/2025 and 13/11/2025 from BIM noting the proximity of fish spawning grounds and stating that there will be no impact on aquaculture as a result of the proposed site investigations. The BIM observation notes that inshore fishing activity occurs within the MUL Area and seeks to ensure that there is no conflict with fishing activity. The BIM observation also notes the importance of communication by way of notifications through Marine Notices, the Producer Organisations such as the IS&EFPO, IIMRO, NIFA, local RIFF, relevant harbour port offices, local authority offices and local media.

MARA Response:

There are Cod nursery and spawning grounds, Haddock nursery grounds; Horse Mackerel nursery grounds; Mackerel nursery grounds and Whiting spawning grounds in the vicinity of the MUL application area, however due to the short duration and low magnitude of the potential impacts of the proposed site investigations, there would be no impact on any spawning and nursery grounds.

Conditions are recommended in the Proposed Licence to ensure minimal disruption to other users, including publication of a marine notice.

2. Marine Divisions of the Department of Agriculture, Food and the Marine (DAFM) Observations summary

The observation received from DAFM on 13th November 2025 states that the proposed site investigations would not impact on inshore fisheries, however relevant local fishing organisations should be included on the provision of Notices to Mariners.

MARA response:

Conditions are recommended in the Proposed Licence to ensure minimal disruption to other users, including publication of a marine notice.

3. – Commissioner for Irish Lights

Observations were received on 13/11/2025 from the Commissioner for Irish Lights stating no objection to the proposed site investigations from a safety of navigation perspective, noting that if any requirement arises for marine aids to navigation, such aids will require a Statutory Consent from Irish Lights under the Merchant Shipping Act.

MARA response:

Proposed Licence includes a condition stating that the licence does not negate the Holder's statutory obligations or requirements under any other Law.

4. Marine Institute

Observations received on 13/11/2025 from the Marine Institute noted the proposed MUL area does not overlap with any aquaculture sites. There are fishing, fish spawning and nursery grounds, within and adjacent to designated shellfish waters under the Shellfish Water Directive and the Malahide classified area for live bivalve mollusc production. Fish spawning grounds include Cod nursery and spawning grounds, Haddock nursery grounds; Horse Mackerel nursery grounds; Mackerel nursery grounds and Whiting spawning grounds. It is noted that the proposed site investigations would not have adverse impacts on fish stocks, fishing activities or aquaculture activities within the proposed MUL Areas. The observation notes scope for cumulative impacts and that the necessary notices to mariners and fishing vessels should be made regarding the site investigations.

MARA response:

Due to the location and short duration and low magnitude of the potential impacts of the proposed site investigations, there would be no impact on any spawning and nursery grounds. Conditions are recommended in the Proposed Licence to ensure minimal disruption to other users, including publication of a marine notice.

5. Dept Transport (Marine Survey Office) 21/10/2025

Observations were received on 19/01/2026 from the Marine Survey Office (MSO) stating no objection to the site proposed site investigations from a navigational safety perspective. The Marine Survey Office also made observations in relation to navigation and safety, which are included as Conditions in the Proposed Licence.

MARA response:

To ensure minimal disruption to other users a condition is recommended for publication of a marine notice in consultation with the MSO.

6. Geological Survey of Ireland

Observations were received on 31/10/2025 from Geological Survey of Ireland, which recommended using their national data sets when conducting the site investigation planning.

MARA response:

Observations acknowledged.

7. Public consultation

A public consultation was undertaken between 23/01/2025 and 23/02/2025, 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, with a response given below the submission. The MARA website should be consulted to view the full details of the submission received


<p>7. Submission summary – Sabrina Joyce-Kemper & Catherine McMahon</p> <p>A submission was received on 23/02/2026 from Sabrina Joyce-Kemper & Catherine McMahon that the marine outfall constitutes maritime development requiring a MAC and that the competent authority cannot lawfully process or determine the present MUL application under the Maritime Area Planning Act 2021.</p>

MARA Response:

MARA considers that the authors' submission as it relates to section 75 of the MAP Act is not relevant to the current MUL application. Equally, references to section 89 of the MAP Act are irrelevant to the current application being considered. MARA deals with MUL and MAC applications separately under different provisions of the MAP Act and in this case is addressing the application for a MUL under Schedule 7(3) for site investigations and the relevant provisions of the MAP Act will be applied to the application.

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 granted to Uisce Éireann, Colvill House, 24-26 Talbot Street, Mountjoy, Dublin, for marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000 subject to the conditions in the Proposed Licence.

Signed:	
Prepared by:	Tom Manning Marine Analyst
Date:	16/03/2026

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 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 (MUL250013)** (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 – 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:	John Evans Director of Maritime Usage Licensing
Date:	16/03/2026

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 & code	Distance from proposed MUL area (km)	Qualifying Interests	Potential source of impact	Site-specific conservation objectives
Baldoyle Bay SAC (Site code IE000199)	Within MUL area	Mudflats and sandflats not covered by seawater at low tide [1140] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glauco- Puccinellietalia maritima</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]	Possible habitat loss and/or degradation.	NPWS (2012) Conservation Objectives: Baldoyle Bay SAC 000199. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht
Rockabill to Dalkey Island SAC (Site Code IE003000)	Within MUL area	Reefs [1170] <i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Possible disturbance from underwater noise; possible habitat loss and/or degradation.	NPWS, 2013 Conservation Objectives: Rockabill to Dalkey Island SAC 003000. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht
Lambay Island SAC (Site Code IE000204)	7km	<i>Halichoerus grypus</i> (Grey Seal) [1364] <i>Phoca vitulina</i> (Harbour Seal) [1365] <i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	possible disturbance from underwater noise	NPWS (2024) Conservation Objectives: Lambay Island SAC 000204. Version 2. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Codling Fault Zone SAC (Site code IE003015)	25km	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	possible disturbance from underwater noise	NPWS (2025) Conservation Objectives: Codling Fault Zone SAC 003015. Version 2. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

North-West Irish Sea SPA (Site Code IE004236)	Within area	MUL	<p>Red-throated Diver (<i>Gavia stellata</i>) [A001] Great Northern Diver (<i>Gavia immer</i>) [A003] Fulmar (<i>Fulmarus glacialis</i>) [A009] Manx Shearwater (<i>Puffinus puffinus</i>) [A013] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Shag (<i>Phalacrocorax aristotelis</i>) [A018] Common Scoter (<i>Melanitta nigra</i>) [A065] Little Gull (<i>Larus minutus</i>) [A177] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] Herring Gull (<i>Larus argentatus</i>) [A184] Great Black-backed Gull (<i>Larus marinus</i>) [A187] Kittiwake (<i>Rissa tridactyla</i>) [A188] Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194] Little Tern (<i>Sterna albifrons</i>) [A195] Guillemot (<i>Uria aalge</i>) [A199] Razorbill (<i>Alca torda</i>) [A200] Puffin (<i>Fratercula arctica</i>) [A204]</p>	Yes - possible above and under water noise disturbance; visual disturbance.	NPWS (2023) Conservation Objectives: North-west Irish Sea SPA 004236. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Baldoyle Bay SPA (Site Code IE004016)	Within area	MUL	<p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Wetland and Waterbirds [A999]</p>	Yes - possible above and under water noise disturbance; visual disturbance; possible habitat loss and/or degradation.	NPWS (2013) Conservation Objectives: Baldoyle Bay SPA 004016. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

Ireland's Eye SPA (Site Code IE004117)	Within area	MUL	Herring Gull (<i>Larus argentatus</i>) [A184] Kittiwake (<i>Rissa tridactyla</i>) [A188] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Guillemot (<i>Uria aalge</i>) [A199] Razorbill (<i>Alca torda</i>) [A200]	Yes - possible above and under water noise disturbance, visual disturbance; possible habitat loss and/or degradation.	NPWS (2024) Conservation Objectives: Ireland's Eye SPA 004117. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage
Malahide Estuary SPA (Site Code IE004025)	2km		Great Crested Grebe (<i>Podiceps cristatus</i>) [A005] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Pintail (<i>Anas acuta</i>) [A054] Goldeneye (<i>Bucephala clangula</i>) [A067] Red-breasted Merganser (<i>Mergus serrator</i>) [A069] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] <i>Knot (Calidris canutus) [A143] Dunlin (Calidris alpina) [A149] Black-tailed Godwit (Limosa limosa) [A156] Bar-tailed Godwit (Limosa lapponica) [A157] Redshank (Tringa totanus) [A162] Wetland and Waterbirds [A999]</i>	Yes – possible above and under water noise disturbance.	NPWS (2013) Conservation Objectives: Malahide Estuary SPA 004025. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Howth Head Coast SPA (Site Code IE004113)	2km		Kittiwake (<i>Rissa tridactyla</i>) [A188]	Yes – possible above water noise disturbance.	NPWS (2024) Conservation Objectives: Howth Head Coast SPA 004113. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage
			Shelduck (<i>Tadorna tadorna</i>) [A048] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054] Shoveler (<i>Anas clypeata</i>) [A056] Oystercatcher (<i>Haematopus ostralegus</i>) [A130]		

<p>North Bull Island SPA (Site Code IE004006)</p>	<p>2km</p>	<p>Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Wetland and Waterbirds [A999] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] [A179] Wetland and Waterbirds [A999] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p>	<p>Yes – possible above water noise disturbance, visual disturbance.</p>	<p>NPWS (2015) Conservation Objectives: North Bull Island SPA 004006. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>
<p>Rogerstown Estuary SPA (Site Code IE004015)</p>	<p>7km</p>	<p>Greylag Goose (<i>Anser anser</i>) [A043] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p>	<p>possible above water noise disturbance, visual disturbance.</p>	<p>NPWS (2013) Conservation Objectives: Rogerstown Estuary SPA 004015. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>
<p>Lambay Island SPA (Site Code IE004069)</p>	<p>7km</p>	<p>Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] Fulmar (<i>Fulmarus glacialis</i>) [A009] Herring Gull (<i>Larus argentatus</i>) [A184] Kittiwake (<i>Rissa tridactyla</i>) [A188] Guillemot (<i>Uria aalge</i>) [A199] Razorbill (<i>Alca torda</i>) [A200] Puffin (<i>Fratercula arctica</i>) [A204] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Shag (<i>Phalacrocorax aristotelis</i>) [A018] Greylag Goose (<i>Anser anser</i>) [A043]</p>	<p>Yes - possible above and underwater noise disturbance and/or visual disturbance.</p>	<p>NPWS (2024) Conservation Objectives: Lambay Island SPA 004069. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.</p>