

Kilrush Maritime Ltd.

Response to Request for Additional Information
Maritime Usage Licence Application MUL250020
Kilrush Marina Maintenance Dredging



AQUAFAC
APEM Group

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Reference no: P17851

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This document responds to the Request for Additional Information issued by the Maritime Area Regulatory Authority (MARA) on 7 August 2026 in respect of MUL250020. The responses below follow the numbering used in MARA's notice. Supporting sediment characterisation reports are submitted with this response in relation to Item 2

1. Confirmation of Dredge Methodology

The Applicant confirms that the proposed maintenance dredging will be undertaken by plough dredging, using a Multicat-type tug towing a plough blade, as described in the application documentation. Dredged sediment will be redistributed within the defined dredging/MUL footprint as part of the plough-dredging operation.

No separate offshore dumping or disposal site is proposed as part of the MUL application. References in the SISAA/NIS to a "licensed offshore dumping site" or "offshore disposal site" are therefore confirmed to be erroneous legacy wording and should be read in the context of the plough-dredging methodology and the deposition/redistribution of material within the application boundary.

2. Sediment Contaminants

The full sediment characterisation reports that underpin the sediment-quality summary in the Water Framework Directive assessment are submitted with this response. These comprise:

- AQUAFACT International Services Ltd (April 2020), Marine Sediment Characterisation – Kilrush Approach Channel – Dredging and Disposal Operations, including the October 2020 Addendum; and
- AQUAFACT International Services Ltd (May 2023), Marine Sediment Characterisation – Kilrush Approach Channel – Dredging and Disposal Operations.

2020 survey. Four stations within the Kilrush approach channel were sampled on 25 March 2020 for physical and chemical analysis in accordance with the requirements of the then EPA Dumping at Sea permit and the applicable dredged-material assessment guidance. The analytical suite included metals, organochlorines, PCBs, PAHs, total extractable hydrocarbons and organotins, together with sediment physical characteristics. The initial results identified an elevated cadmium concentration of 7.3 mg/kg at Station Kil 3, above the upper action level of 4.2 mg/kg. Station Kil 3 was resampled on 28 September 2020 and the repeat analysis returned a cadmium concentration of 0.3 mg/kg. The October 2020 Addendum documenting the repeat sampling and result is included within the 2020 report supplied with this response.

Clarification regarding the 2020 report. The Discussion/Conclusion section of the April 2020 main report contains a typographical reference to “chromium” at Station Kil 3. The results section, analytical table and October 2020 Addendum confirm that the elevated analyte was cadmium, not chromium. The repeat cadmium result of 0.3 mg/kg is the value referenced in the Water Framework Directive assessment.

2023 survey. A further four-station sediment characterisation survey was undertaken on 23 March 2023. The same broad contaminant groups and sediment characteristics were assessed. Copper at Station Kil 3 (44.2 mg/kg), nickel at Station Kil 4 (40.3 mg/kg), and zinc at Stations Kil 3 and Kil 4 (224 mg/kg and 360 mg/kg, respectively) were above the relevant lower action levels but remained below the corresponding upper action levels. The report concludes that all sampled sediments were below the upper Irish action limits for metals, organochlorines, PCBs, total extractable hydrocarbons, organotins and the sum of 16 PAHs.

The two reports, including their analytical results and appendices, provide the complete supporting information for the historic sediment contaminant data referenced in Attachment 4.5 (Water Framework Directive assessment).

3. Annex IV Derogation

A Regulation 54 derogation is not considered to be required for the proposed maintenance dredging activity. This conclusion is based on the project-specific Risk Assessment for Annex IV Species previously submitted as **Attachment 4.4** to the MUL application.

Regulation 51 of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended, establishes strict protection for Annex IV fauna, including prohibitions on deliberate capture or killing, deliberate disturbance (particularly during breeding, rearing, hibernation and migration), and damage or destruction of breeding sites or resting places. Regulation 54 provides the derogation mechanism where compliance with those strict-protection provisions cannot otherwise be achieved. Current NPWS guidance similarly provides that a derogation should be sought where works that would capture, kill or disturb Annex IV species, or damage or destroy their breeding or resting sites, cannot be avoided.

The Annex IV Risk Assessment considered the Annex IV species potentially occurring within the project area, including otter, bottlenose dolphin, harbour porpoise, common dolphin, minke whale and marine turtles, and assessed the relevant impact pathways from the proposed works. The assessment concluded that the identified effects would be temporary and localised and that, with the specified project controls and mitigation measures, the works are not expected to result in deliberate capture or killing of Annex IV species, deliberate disturbance requiring derogation, or damage or destruction of their breeding sites or resting places. The assessment therefore concluded that a Regulation 54 derogation is not required.

Accordingly, no Regulation 54 derogation application has been submitted to NPWS and there is no NPWS derogation/application reference number to provide.

