

Maritime Usage Licensing and Planning Advisory Directorate

Material Amendment Assessment Report

To:	John Evans, Director	From:	Dr Ciar O'Toole Senior Marine Advisor
Date:	31/03/2026	Material Amendment to Maritime Usage Licence No:	MUL230024MA
Applicant:	Deep Sea Fibre Networks, 15 The Seapoint Building, Clontarf, Dublin 3		
Material Amendment application received:	04/02/2026		
Types of maritime usage 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:	Landfall at Ballyloughane County Galway and traversing the Irish Maritime Area to the southwest of Ireland		
Environmental Impact Assessment (EIA) Screening	EIA not required (EIA Screening Form dated 02/03/2026)		
Appropriate Assessment (AA) Screening	AA screening report and determination dated 31/03/2026 No Stage 2 AA required		
Public body consultation:	18/02/2026 to 24/03/2026	Observations from public bodies received:	Three

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1. Background

The Maritime Area Regulatory Authority (MARA) issued a Maritime Usage Licence (MUL) to Deep Sea Fibre Networks Ltd. (the applicant) on 29/05/2025. The MUL granted (ref. MUL230024) was for marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000 under Schedule 7(3) of the Maritime Area Planning Act 2021 (the MAP Act).

Section 125 of the MAP Act, 2021 allows for the holder of a licence who wishes to amend their licence in any material way to make an application for such an amendment. The applicant submitted an application for a Material Amendment (MA) to MUL230024 on 04/02/2026. This requested the removal of Specific Condition 37 (i) which states: “The Holder shall not undertake the Permitted Maritime Usage between 1st February and 30th June annually, to ensure least disturbance to known fish spawning along the survey route.”

The original application made to MARA was for site investigations to inform the feasibility of constructing a new subsea telecoms cable system PISCES which is proposed to link Ireland to EU member states, specifically to inform the location and design of the cable route and landfall site. These activities were licensed by MARA from the landfall location Ballyloughane County Galway, through Galway Bay and traversing the Irish Maritime Area to the southwest of Ireland.

On 04/02/2026, the applicant submitted a material amendment application looking to remove Specific Condition 37 (i) of MUL230024. Accompanying this application, the applicant submitted a report outlining their scientific reasons for the requested MA entitled “Altamar response to alteration recommendation to the period of Permitted Maritime Usage as outlined in the Specific Condition 37 (i) (08/05/2025) in Maritime Usage Licence MUL230024 (Pisces fibre optic cable marine survey)” dated 15 January 2026 (the Altamar report).

2. Location and Description of the Proposed Maritime Usage

The original licence issued to the applicant on 29/05/2025 (MUL230024) was to undertake marine environmental surveys for the purposes of site investigations to inform the feasibility if constructing a new subsea telecoms cable system PISCES which is proposed to link Ireland to EU member states to inform the location and design of the cable route and landfall site. These activities were licensed from the landfall location Ballyloughane County Galway, through Galway Bay and traversing the Irish Maritime Area to the southwest of Ireland.

The proposed activities granted under MUL230024 were subject to an assessment by MARA including appropriate assessment screening and appropriate assessment. This MA will not result in any change to the activities licensed by MARA and as outlined in MARA’s AA screening report and determination of the 10/10/2024, that is: geotechnical surveys and geophysical investigations, including surveys to be undertaken in the intertidal zone, an inshore survey (water depths of 3m chart datum to 15m chart datum) and an offshore survey (water depths greater than 15m chart datum, Figure 1). The landfall site investigations will include bar probes and trial pits, as well as beach walk over surveys for ecological and archaeological purposes. The inshore marine survey will be undertaken using multi-beam echo sounder, side scan sonar, marine magnetometer and sub-bottom profile equipment. The offshore site surveys will include cone penetration tests, grab samples and gravity cores/vibrocores. The MUL was granted for a two-year period, and a number of survey activities have already taken place in 2025.

Brief description of the site characteristics

The area around the proposed landfall site at Ballyloughane Strand in Co. Galway is a shale, sandy beach. The seabed substrate along the proposed survey corridor consists mainly sand in the intertidal and nearshore areas, Sands and muddy sands are indicated within the survey corridor offshore but the proposed environmental surveys will further determine this information.

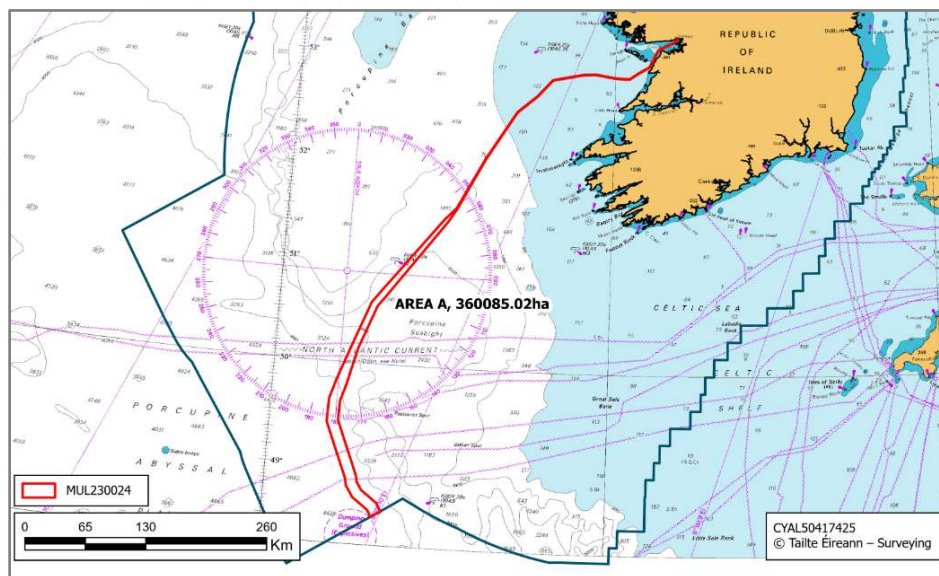


Figure 1: MUL area shown in red from Galway Bay to the Continental Shelf.

3. Assessment

In undertaking the assessment of this material amendment 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.

Additionally, in this case MARA also had regard to the assessments carried out in relation to the granting of MUL230024. These are the assessments relating to MUL230024 contained in the MUL report dated 12/04/2025 and the AA report dated 08/04/2025.

3.1 National Marine Planning Framework (NMPF)

In accordance with the MAP Act, MARA must have regard to the Marine Planning Policy Statement (MPPS) which outlines the government's overarching vision, policies, and principles for managing the country's maritime area. MARA must have regard to NMPF, which sets the framework for implementing the forward planning component of our marine planning system as set out in the MPPS. The proposed MA will not have an impact on any of the policies of the NMPF.

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

MARA carried out a screening for EIA of the proposed MA having considered Schedules 5 and 7 of the Planning and Development Regulations 2001. An EIA Screening Form was issued by MARA on 05/03/2026 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. The proposed MA will not have an impact on the NBAP.

3.4 Climate Action and Low Carbon Development Act 2015, as amended

Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended (the 'Climate Act') requires relevant bodies, including MARA, to perform their functions in so far as practicable in a manner consistent with the governance framework set out therein. The Act sets legally binding targets for the reduction of greenhouse gases by 2030 and net-zero emissions by 2050. Considering the nature of the proposed MA, no increases in carbon emission and no potential for indirect effects on climate change are expected.

3.5 Water Framework Directive (2000/60/EC)

The Water Framework Directive (WFD) requires EU member states to protect and improve water quality in all waters to achieve at least good ecological status in inland surface waters, transitional waters, coastal waters and groundwater by 2027, at the latest. The ecological status of coastal waterbodies is based on the assessment of biological quality elements (phytoplankton, benthic invertebrates, macroalgae, angiosperms) as well as supporting chemical (specific pollutants), physico-chemical (e.g. temperature, salinity, nutrients) and hydromorphological quality elements.

The majority of the maritime usage activity MUL230024 is outside of WFD waters. Table 3 outlines the status and risk of the waterbodies on foot of the most recent WFD assessment. It is not expected that the proposed MA will impact on the waterbody classifications of any of these waterbodies.

Table 3: 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
Corrib Estuary	Transitional	Moderate (Review) ²	Agriculture and urban wastewater
Inner Galway Bay North	Coastal	Good (Not at risk)	Agriculture and urban wastewater
Outer Galway Bay	Coastal	High (Not at risk)	Agriculture and domestic wastewater
Aran Island, Galway Bay, Connemara	Coastal	High (Review)	Agriculture and domestic wastewater

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

¹ From www.catchments.ie

² Review status includes whether the water body is/is not at risk of achieving the objectives of the WFD by 2027 or under review if additional information is needed to determine their status before resources and more targeted measures are initiated or the measures have been undertaken, e.g. a wastewater treatment plant upgrade, but the outcome hasn't yet been measured/monitored

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

The Marine Strategy Framework Directive (MSFD) sets the framework for European marine environmental policy. It aims to achieve Good Environmental Status (GES) for all marine waters in Europe and protect the resource base for marine related economic and social activities. Ireland’s 2024 assessment³ under Article 8 of the MFSD sets out the status of the 11 qualitative descriptors that describe the state of the marine environment. Table 4 sets out the status of the relevant descriptors and assesses the potential impacts of the proposed activities.

Table 4: 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 screening in respect to the proposed MA (see Section 3.8) There are no identified potential impacts on biological diversity (including protected habitats and species).
Non-indigenous species	Yes	The proposed MA will not result in the introduction of invasive species to the marine environment.
Population of commercial fish/shellfish	Partially achieved	<p>This descriptor is assessed as incidental bycatch and commercial fisheries and shellfish (fish mortality rate, spawning stock biomass and age and size distribution).</p> <p>The maritime usage area passes through known spawning and nursery grounds for a number of commercial fisheries, as well as <i>Nephrops</i> grounds and through the range of wild Atlantic salmon. It is not expected that the maritime usage will result in either incidental bycatch or a significant disturbance to population size of commercially exploited stocks overall, see section 4.9 of this report. However, it has been identified that there is potential risk to <i>Nephrops</i> spawning grounds in the “Aran Grounds”. This concern was covered by Specific Condition 37 (ii) of MUL230024 which the applicant has not requested removing.</p>

³ [Ireland’s Marine Strategy Part 1: Articles 8, 9 and 10 report 2024.](#)

		<p>The MA requested looks for the removal of Specific condition 37 (i). It is recommended that any MA issued removes the existing condition 37 (i) only and that the existing condition 37 (ii) is retained.</p> <p>There are several Fisheries Orders that apply in relation to European flat oysters in Galway Bay. In addition, there are a number of licensed aquaculture sites (oysters and mussels) within Galway Bay, to the south of the proposed landfall site at Ballyloughane Strand, the closest being 5km to the south. It is not expected that the proposed material amendment will impact on aquaculture in these areas.</p>
Marine food webs	Unclear	The balance and diversity in marine food webs are not expected be impacted as a result of the proposed MA.
Eutrophication	Yes	The proposed MA 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	It is not expected that the MA will negatively impact on the GES status of this descriptor.
Alteration of hydrographical conditions	Yes	The proposed MA will not alter the hydrographical conditions (e.g. changes in wave action, currents, salinity, temperature) in the MUL area. There will be no impact on the GES status of this descriptor.
Concentrations of contaminants	Yes	The proposed MA will not result in the introduction of contaminants to the marine environment and thus will not impact on the achievement of GES status of this descriptor.
Contaminants in fish/seafood for human consumption	Yes	The proposed MA will not result in the introduction of contaminants to the marine environment and thus will not impact on the achievement of GES status of this descriptor.
Marine Litter	No	The proposed MA 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	The proposed MA will not result in the introduction of contaminants to the marine environment and thus will not impact on the achievement of GES status of this descriptor.

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. The applicant undertook an Annex IV risk assessment as part of their licence application for MUL230024 which was accepted by MARA. It is not expected that the MA will result in any impacts on Annex IV species.

3.8 Appropriate Assessment

The Habitats Directive (92/43/EC) and the Birds Directive (2009/147/EC) are transposed into Irish law by the European Communities (Birds and Natural Habitats) Regulations 2011, as amended (the Regulations) and by Part XAB of the Planning and Development Act 2000. The application was subject to screening for appropriate assessment (AA) by MARA in accordance with the Regulations. MARA made an Appropriate Assessment (AA) Screening Determination on 31/03/2026 which concluded that the proposed MA will not require Stage 2 AA as it could 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.

4.9 Assessment of Applicant's report

The original assessment for MUL230024 found that it was not expected that the proposed maritime usage would result in either incidental bycatch or a significant disturbance to population size of commercially exploited stocks. However, it was decided from a precautionary approach to include Condition 37 (i) to ensure relevant spawning and nursing grounds were avoided at specific times of year to minimise potential disruption to commercial fisheries.

The Altemar report, which accompanied the MA application, found there are no significant impacts on fish spawning areas for seven fish species it identifies as overlapping with the MUL area within the Irish EEZ. These fish species are: Blue whiting (*Micromesistius poutassou*), Horse mackerel (*Trachurus trachurus*), Haddock (*Melanogrammus aeglefinus*), Hake (*Merluccius merluccius*), Mackerel (*Scomber scombrus*), Megrim (*Lepidorhombus whiffiagonis*) and Whiting (*Merlangius merlangus*).

MARA has reviewed the Altemar report and agrees with its general findings that the maritime usage will not have significant impacts on the fish spawning, and therefore the population of the seven fish species identified. Herring spawning grounds close to the Clare coast were also examined by MARA but were found to be at a suitable distance from the MUL area to negate the risk of a significant negative impact. The Nephrops spawning grounds in Galway Bay,

referred to as the “Aran Grounds” were found to be at potential risk of negative disturbance during peak spawning period, however, this risk is mitigated by the existing Specific Condition 37 (ii) in MUL230024.

In light of the additional information and analysis submitted by the applicant for this MA, MARA finds that Condition 37 (i) in MUL230024 can be removed without any significant impact on the spawning grounds of any fish species assessed in this report.

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. Commercial fisheries were identified as the only possible other users that could be impacted by the proposed MA. This is discussed in section 4.6, MSFD above. The existing licence has conditions to address impacts on other users including the appointment of a Fisheries Liaison Officer.

5. Site visit

No site visit was undertaken due to the offshore location of the proposed activities referred to in the MA.

6. Public body consultation

Observations on the material amendment application were invited from the relevant public bodies to ensure that MARA takes account of all other relevant maritime usages and interests in the application area. In this case, these were considered to be the Department of Agriculture, Food and the Marine and the Marine Institute, based on the relevance to the proposed MA of the submissions given by these bodies in relation to MUL230024.

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

The submission from DAFM was a co-ordinated submission including input from the Marine Institute (MI). This MI submission is also discussed in Observation Two and is the first of two submissions on this MA from the MI. The DAFM submission highlights the importance of fishers and aquaculture producers as primary food producers and the importance of considering relevant government policy. They summarise the MI submission (discussed in Observation Two) and request a Fisheries Liaison Officer (FLO) is appointed and that Marine Notices are issued regarding the planned MUL activities.

MARA Response:

MARA notes the submission from DAFM, and the comments contained within from the MI, which are discussed under Observation Two. MARA can confirm that conditions regarding the appointment of a FLO and the issuing of Marine Notices were included in the original licence for MUL230024 and are not impacted in any way by this proposed material amendment.

2. Observations summary – Marine Institute (MI) - First submission

In their first submission, the MI stated that:

“The proposed activities should not have any significant or long-lasting impacts on fish biology, ecology, fisheries activities or aquaculture.

Points to highlight from observations provided in February 2025:

- *The survey route passes through prawn fishing grounds “The Aran Grounds” Functional Unit 17 (FU17).*
- *Application states “There is no significant overlap with fishing activities in the region” while there are overlaps with FU17 and regions of high fishing activity catching anglerfish, boarfish horse mackerel, mackerel, megrim and squid.*
- *It is not expected that any long-lasting effects on fish or habitats of significance would result from the proposed survey.*
- *Effect on recreational activities expected to be minor.*

Further, from the perspective of most fish species/stocks and fishing activities, the request is appropriate. It would be advisable to avoid the Nephrops ground Functional Unit 17 and proximity to herring spawning beds in Liscannor Bay between August and December.”

MARA response:

MARA notes the response from the MI and their views regarding the proposed material amendment. These will be considered as part of MARA’s assessment. It is noted that the existing condition 37 (ii) regarding restrictions around the Aran grounds for *Nephrops* will remain in effect as part of MUL230024. It is also noted that the MUL area granted in MUL230024 is at a distance of 5km from Liscannor Bay and the herring spawning beds therein. Therefore, at this distance it is not considered necessary to add a condition relating to herring spawning in Liscannor Bay.

3. Observations summary – Marine Institute (MI) - Second submission

In its second submission, the MI stated that *“Upon review of the documentation, the observations provided from the Marine Institute (dated 10 February 2025) to the*

MUL230024, still stand. Of particular importance would be the observation that the survey area represents a small area of any likely spawning or nursery grounds. This allied with the short duration of survey activity, would lead to the conclusion that impacts on fish or habitats are likely not significant."

MARA response:

MARA notes the response from the MI and MI and their views regarding the proposed material amendment. These will be considered as part of MARA's assessment.

7. Recommendation

Having considered the information submitted in support of a material amendment under section 125 of the MAP Act, 2021 the original application for MUL2300234, the information submitted as part of public body consultation and my own assessment, I recommend that a material amendment to MUL230024 be granted, removing Specific Condition 37 (i) which states: *"The Holder shall not undertake the Permitted Maritime Usage between 1st February and 30th June annually, to ensure least disturbance to known fish spawning along the survey route."*

Signed:	
Prepared by:	Dr Ciar O'Toole Senior Marine Advisor
Date:	31/03/2026

8. Approval

Signed:	
Approved by:	John Evans Director of Maritime Usage Licensing
<u>Date:</u>	<u>01/04/2026</u>