Maritime Usage Licensing and Planning Advisory Directorate Maritime Usage Licence Assessment Report					
To:	John Evans, Director	**From:**		Tom Manning, Marine Analyst	
Date:	19/08/2026	**Maritime Usage Licence Application Reference No:**		MUL250022	
MUL Applicant Name:		Uisce Éireann			
MUL Applicant Registered Address:		Colvill House, 24-26 Talbot Street, Dublin 1, D01 NP86.			
Licence application received:		20/02/2026			
Types of maritime usage activities in accordance with Schedule 7 of the Maritime Area Planning Act 2021:		*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 usages:		The River Suir Estuary adjacent to the townlands of Kilmurry, Gorteens, Little Island, Ballycanvan Big and Faithlegg.			
Environmental Impact Assessment (EIA) Screening		EIA not required (EIA Screening Form dated 11/05/2026)			
Request for additional information (RAI) issued:		none			
Appropriate Assessment (AA) Screening		Appropriate Assessment Screening and Determination Report dated 11/05/2026			
Notice requesting Natura Impact Statement (NIS) issued:		n/a	**NIS received:**	20/02/2026	
Public body consultation:		23/04/2026 – 22/05/2026	**Observations from public bodies received:**	8	
Public consultation:		02/06/2026 – 08/07/2026	**Submissions from the public received:**	1	

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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 is necessary for the Waterford City Wastewater Treatment Plant (WwTP) upgrade and for the design of a new marine outfall and the provision of baseline data for the environmental assessment of the project and will inform future planning applications associated with the WwTP upgrade works.

There is an existing EPA licensed discharge point for sewage and stormwater within the proposed MUL area. Uisce Éireann does not hold any Foreshore licences within or adjacent to the proposed MUL area.

2. Location and Description of the Proposed Maritime Usage

The site investigation works for the Waterford WwTP are proposed within an overall MUL area of 70.93ha at the River Suir estuary around 'Little Island' which is located 3km east of Waterford City. Geophysical, geotechnical, bathymetric, ecological, archaeological and CCTV surveys are proposed to gather baseline data on geological and environmental conditions. The proposed MUL area extends upstream from the existing Waterford City WWTP outfall location at Gyles Quay, located in Co. Kilkenny, south to Little Island in Co. Waterford and eastwards to Bellview Port beyond the confluence of the Kings Channel and River Suir.

Table 1. Details of the proposed maritime usage (or site investigations)

Site investigation	Proposed methodology and quantities
Geophysical surveys	Multibeam Echo Sounder: Proposed frequency range of 300–700 kHz (peak ~400 kHz) and sound pressure level of 210dB in 1 µPa @1m. Side-scan sonar: Proposed frequency range of 600/900kHz and sound pressure level of 220-230dB re1µPa @1m. Sub-bottom profiler (Boomer): Proposed frequency range of 0.5 kHz to 5 kHz and sound pressure level in the range of 205-211dB re1µPa @ 1m. Sub-bottom profiler (Sparker): Proposed frequency range of 0.4kHz to 5kHz and a sound pressure level of 203dB re1µPa @1m. Sub-bottom profiler (Parametric Sub Bottom Profiler): with Proposed frequency ranges of 85-115kHz and 2-22kHz and sound pressure level of 232 dB (typically operated at <200dB).

	Sub-bottom profiler (Chirp system): Proposed frequency range 2-10 kHz and sound pressure level of 149.0 dB to 157.5 dB. Marine Refraction Seismic: Airgun impulse energy frequency range of 5kHz and 90kHz and sound pressure levels of 186-220dB re 1µPa @1m. Marine Electrical Resistivity Tomography (ERT) - 20 ERT lines of 315m length.
Geotechnical surveys	10 no. Boreholes with a diameter of 300 mm using cable percussion and rotary coring techniques. In-river boreholes will be drilled from a jack-up barge during tidal or flowing water conditions. The drilling will have a sound pressure level of 145–190 dB in 1 µPa @1m. Standard Penetration Testing (SPT): 40 no. SPTs will be undertaken in the 10 no. boreholes located within the river channel. Grab samples: 14 no. geotechnical grab samples are proposed within the proposed MUL area.
Marine Environmental/Ecological surveys*:	Drop-down video camera survey for benthic ecology - 30 transects of up to 30 m each. Intertidal walkover. Intertidal handheld benthic coring to a depth of 20cm for benthic faunal analysis. Grab Samples - 30 no. grab sample locations with a maximum of 4 no. 0.1m² Environmental/Ecological samples collected at each sample location.
Archaeological surveys	Magnetometer for archaeological investigation. Underwater inspections, walkovers, metal detectors and dive surveys.
Oceanographic and other surveys	Deployment of tidal gauges Deployment of Multi parameter Sonde for the collection of Conductivity/Salinity measurements Collection of water samples. CCTV survey of the existing outfall by diver-operated cameras or Remotely Operated Vehicle (ROV).

*aerial/drone surveys are proposed but these are outside of the scope of this application as they are not within the maritime area as defined in the MAP Act.

A shallow draught multipurpose vessel platform and Jack-up barge will be deployed for the proposed site investigation. The duration of the proposed site investigation works is approximately 16 weeks and underwater noise generating geophysical components (e.g. multibeam and sub-bottom profilers) are proposed for a period of approximately 10 days. The

proposed MUL duration is for a period of 3 years and this duration is sought to ensure sufficient time to gather the data required.

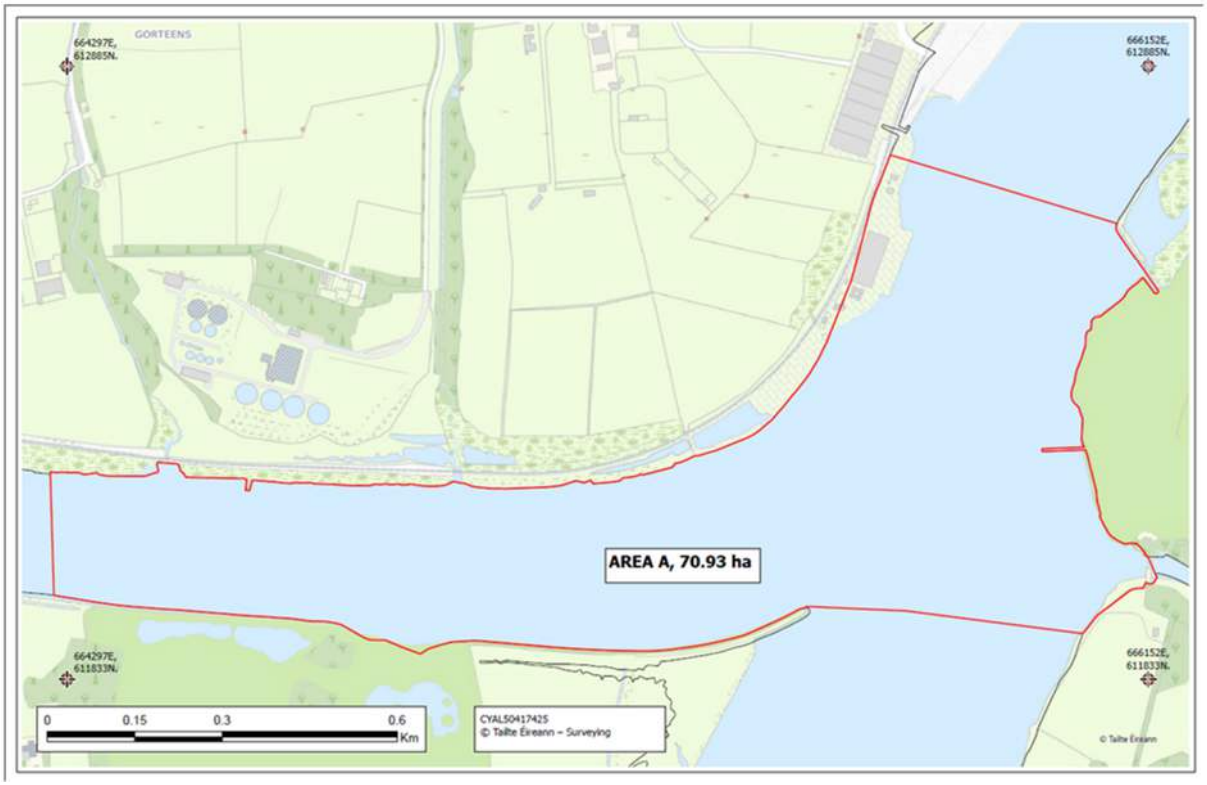


Figure 1. Site Location Map showing the proposed MUL area outlined in red.

1.1 Brief description of the site characteristics

The benthic habitat within the site investigation area is a muddy estuarine community complex with a water depth ranging from 0-10m. A biotope recorded as present is *Polydora ciliata* and *Corophium volutator* in variable salinity infralittoral firm mud or clay.

3. Assessment

In assessing a MUL application, MARA must have regard to the criteria specified in the MAP Act, as discussed in this section.

3.1 National Marine Planning Framework (NMPF)

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 also have regard to the NMPF, which sets the framework for implementing the forward planning component of our marine planning system as set out in the MPPS.

The proposed site investigation is in line with Sectoral Policy 24 on Wastewater Treatment and Disposal as it supports utility proposals that service national economic development through the provision of improved wastewater discharges. The proposed site investigation activities are in support of the Planning Policy of Section 6.2 of the NMPF on social and economic development by collecting data to inform an important wastewater infrastructure service. As part of the improvements to Waterford City WwTP, the site investigation contributes to Sustainable Development Goal No. 6 for the provision of sanitation and No. 11 for sustainable cities and communities.

There will be no significant impact on the principle of co-existence of maritime uses in line with NMPF Economic policy for a Thriving Maritime Economy. The proposed works are temporary in nature (16 weeks) and while there could be some temporary disturbance to other users navigating through the area of the MUL, no other significant effects have been identified.

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. It is noted by the applicant that a review of the Historic Environment Viewer and National monument service wreck viewer was carried out, which indicated no heritage assets were present within the MUL area.

It is recommended that a condition be included in any licence granted, requiring the holder to consult with the National Monuments Service prior to the commencement of the activities and to comply with their requirements in relation to underwater cultural heritage. A condition is also recommended requiring that geophysical surveys are undertaken in advance of all geotechnical works to ensure potential significant effects on underwater cultural heritage are avoided. Subject to these measures, the MUL, if granted, will comply with the NMPF with regard to underwater cultural heritage and in the protection of any heritage assets within the subject site.

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 11/05/2026 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. Objective 2 of the NBAP is to meet urgent conservation and restoration needs. It is considered that the proposed site investigation would not lead to any adverse effects on biodiversity attributes of the River Suir estuary or the wider marine environment and would not conflict with the provisions of the NBAP subject to the mitigation measures recommended in this report. Part of the focus of the NBAP is to elevate efforts to tackle invasive alien species. It is recommended that a condition be included in any licence granted to address the potential risks from invasive alien species as a result of the proposed survey 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. The Act sets legally binding targets for the reduction of greenhouse gases by 2030 and net-zero emissions by 2050. No significant increases in carbon emissions are expected to be produced due to the duration and scale 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 waterbodies is based on the assessment of biological quality elements (fish, phytoplankton, benthic invertebrates, macroalgae, angiosperms) as well as supporting chemical (specific pollutants), physico-chemical (e.g. temperature, salinity, nutrients) and hydromorphological quality elements. Table 2 shows the WFD waterbody in which the activities are proposed.

Table 2: Water Framework Directive waterbody in relation to MUL application area from the reporting period 2019–2024, including status, risk and significant pressures[1].

Waterbody name & code	Waterbody type	Ecological status & Risk*	WFD significant pressures
Lower Suir Estuary (Little Island - Cheekpoint) (WFD Code: IE_SE_100_0500)	Transitional Waterbody	Moderate - At risk	Nutrient enrichment & altered morphological condition. Classified as a heavily modified water body (HMWB) due to port facilities, navigation channels and historical land reclamation.

*At risk means at risk of not achieving good status by 2027.

Potential impacts on migratory fish are assessed in Section 3.8 of this report, and a condition is recommended to mitigate against the potential disturbance impacts from the site investigations via a seasonal restriction. With this mitigation, there will be no impact on migratory fish in this transitional waterbody. Other potential impacts on this waterbody from the proposed activities are expected to be small scale and of limited duration. For instance, sediment disturbance and impacts on benthic invertebrates are expected to be minor. A condition is recommended in the licence, if granted, requiring the holder to have an oil pollution emergency plan on-board in order to be prepared for any accidental events. Thus the licence, if granted, will not impact on the ecological status of the any WFD waterbody as a result of the proposed site investigation. It is noted that the proposed site investigations are in support of improved wastewater treatment with the overall aim of improving the water quality in this waterbody.

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 assessment[2] under Article 8 of the MFSD sets out the status of the 11 qualitative descriptors that describe the state of the marine environment. Table 3 below sets out the status of the relevant descriptors and assesses the potential impacts of the proposed activities. The proposed site investigations will not impact on Ireland maintaining or achieving GES in the relevant descriptors (see Table 3).

[1] From www.catchments.ie

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

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

MFSD Descriptor	Good Environmental Status achieved	Assessment
Biological diversity	Partially achieved	MARA has undertaken an Appropriate Assessment (AA) of the proposed site investigations (see Section 3.8). Mitigation measures have been identified and are recommended to be included in the licence, which address potential impacts on biological diversity (including protected habitats and species). The AA screening report, Natura Impact Statement and Annex IV Risk Assessment submitted by the applicant provided a description of the biodiversity baseline of the proposed project location and examined the potential for impacts on biodiversity. The proposed site investigations will have no significant impact on identified sensitive biological receptors subject to mitigation measures which have been recommended as condition of the licence, if granted.
Non-indigenous species	Yes	The vessels, vehicles and equipment being used may have the potential to introduce or spread non-indigenous species. To ensure that the proposed activities will not result in the unintended introduction of non-indigenous species, a condition is recommended in the licence relating to the control of invasive species. The prevention of potential physical damage to Salt Meadow habitat (see mitigation measures in Section 3.8.3) will mitigate against the spread of non-indigenous species, as invasive species can be opportunistic colonisers of disturbed areas.
Population of commercial fish/shellfish	Yes	Due to separation distances and the type and duration of the site investigations proposed within the MUL area, potential impacts on commercial fish and shellfish stocks and have not been identified. The MUL application area is outside of the main commercial fishing areas in the estuary. The nearest licenced shellfish aquaculture site is located 4 km from the MUL application area, while the nearest designated shellfish water area is 3 km away. Impacts on migratory fish are discussed in Section 3.8 of this report and mitigation is recommended.
Marine food webs	Yes	The balance and diversity in marine food webs are not expected be impacted as a result of the proposed activity. No project related impacts with the potential

		to impact food webs or affect long-term abundance or reproduction of species is considered likely.
Eutrophication	Yes	The proposed site investigations do not involve the addition of nutrients to the marine environment and as such will not impact this descriptor achieving GES. No adverse impacts relative to eutrophication are possible. It is noted that the site investigations are in support of improved wastewater treatment works, which aim to reduce the level of eutrophication in the receiving environment.
Sea-floor integrity	Partially achieved	The benthic habitat in the MUL application area will experience small-scale temporary sediment disturbance due to the geotechnical activities. However, habitat conditions are expected to return 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	The proposed site investigations do not have the potential to lead to the introduction of any contaminants by sediment resuspension or other means, due to small-scale and limited duration of the survey work and vessel use.
Contaminants in fish/seafood for human consumption	Yes	The proposed site investigations do not have the potential to add to or alter contaminants in fish or seafood due to small-scale of any sediment disturbance and the nature and limited duration of the surveys.
Marine Litter	Yes	The scale and scope of the proposed site investigations do not have the potential to intentionally or accidentally contribute to marine litter impacts. Any licence granted will include a general condition requiring the holder to remove all plant and equipment associated with the activities and to restore the licensed area to its original condition once completed.
Introduction of energy including underwater noise	Yes	Sections 3.7 and 3.8 of this report discuss potential underwater noise impacts. It is recommended that a condition is included in any licence granted, in relation to adherence to national guidance on underwater noise and marine mammals via provision

		of a marine mammal observer, to mitigate against potential impacts. In order to inform the data collected as part of MSFD requirements, a condition is recommended that the holder should provide details of all acoustic surveys carried out to the Marine Environment Section of the Department of Climate, Energy and the Environment (DCEE) in the reporting format of the OSPAR Impulsive Noise Registry.

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. National guidance on the management of the risk to marine mammals from underwater noise requires a risk assessment of the potential impacts of man-made sound sources. The applicant submitted an Annex IV risk assessment, noting that Common dolphins have been recorded intermittently within the Zone of Influence of the proposed site investigations. Harbour Porpoise and Bottlenose Dolphin have less frequently been recorded within this part of the River Suir estuary. The hearing range of these species is within the threshold for potential injury to this species, should they be within a few meters of the sound source and could also be disturbed at further distances.

As potential impacts on marine mammals from underwater noise were identified in relation to the proposed geophysical acoustic surveys and borehole drilling components of the proposed site investigation works, it is recommended that a condition is included in the licence, if granted, based on national guidance to manage the risk to marine mammals from man-made sound sources in Irish waters. This document provides guidance and mitigation measures via the provision of a marine mammal observer on board survey vessels to monitor a specified distance prior to the commencement of the relevant surveys. Soft starts and ramp up procedures also form part of the mitigation measures.

The Annex IV risk assessment also identified potential disturbance to Otters from vessel operations and survey staff working within close proximity to potential intertidal resting places and intertidal and subtidal foraging habitats with the potential for them to temporarily abandon their resting places or foraging habitat without mitigation. To mitigate for the potential disturbance impact to Otters, separation distances from any holts and natal dens were proposed in the applicant's Natura Impact Statement. It is recommended that a condition is included in the licence, if granted, to ensure there are no activities within 30 m from otter holts and 150 m from natal dens.

With the implementation of the above mitigation measures, potential impacts on Annex IV species during the proposed site investigations will be avoided.

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. This licence, if granted, does not negate the holders' statutory obligations under any other law.

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 11/05/2026 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.

Two European Sites were screened in for AA by MARA. These are Special Areas of Conservation (SACs). These European sites, their Qualifying Interests (QIs), Conservation Objectives, and likely or potential source of impact as a result of the proposed site investigations 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

This section discusses those impact pathways identified for QIs from the pressures of (i) underwater noise disturbance (ii) above water noise and visual disturbance (iii) habitat disturbance to Atlantic Salt Meadow; iv) changes in suspended solids on migratory fish. The impact pathways are assessed individually below. Any mitigation measures recommended on foot of the assessment in this section are shown in Section 3.8.3.

Underwater noise disturbance

The AA screening identified potential impacts on Twaite shad during spring and early summer spawning migrations in the estuaries of the Lower River Suir SAC and the River Barrow and River Nore SAC. The geophysical components of the proposed site investigation (e.g. Sub Bottom Profiler and Marine Refraction Seismic surveys) are capable of producing underwater noise that could have an impact on Twaite shad. As this species may be sensitive to underwater noise disturbance a seasonal restriction is recommended at important stages during their spawning migration (primarily during April – May). Potential impacts on Atlantic

Salmon, River Lamprey and Sea Lamprey from underwater noise were also identified at the screening stage.

The applicant proposes, as a precautionary measure, that they will not undertake geophysical surveys and borehole drilling during the combined peak migratory periods for these fish species (1st April – 31st October annually). It is recommended that this mitigation measure is included as a licence condition, if granted (see Section 3.8.3).

Above water noise and visual disturbance

The possibility of disturbance to Otters was identified during the AA screening, which is a QI of the Lower River Suir SAC. Above water noise and visual disturbance pressure is possible on Otters during near-bank drilling and site investigations. The proposed site investigation may overlap with Otter commuting routes and could cause disturbance at holts or important natal dens. The potential disturbance events could occur from noise of machinery, particularly where access routes involve vegetation clearance and repeated approaches by personnel. Mitigation measures to avoid disturbance to Otters are recommended in Section 3.8.3.

Habitat disturbance

The applicant notes that Atlantic salt meadow (*Glauco-Puccinellietalia maritimae*) habitat may occur along the margins of the MUL area. Salt meadows occur below Waterford City in old meadows along the tidal stretches of some of the inflowing rivers below Little Island. These form narrow, non-continuous bands of habitat along both banks. While site investigations within this habitat are not proposed, there is the potential for physical impacts during access to the intertidal areas from trampling or machinery usage, which could lead to damage of the Atlantic Salt Meadow habitat potentially present. As it cannot be ruled out that there could be an impact on Atlantic Salt Meadows in the Lower River Suir SAC during access for the proposed site investigations, mitigation measures to avoid potential damage to Atlantic Salt Meadows are recommended in Section 3.8.3.

Changes in suspended solids

The potential for sediment resuspension from the proposed site investigations to have an impact on fish is low due to the small-scale and limited duration of the survey work and vessel use. The lower estuary is a high energy environment due to strong tidal action and resuspended sediment levels caused by the site investigation activity would be low relative to natural variation in background levels of tidally generated suspended solid concentrations.

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 (see Table 4). This in-combination assessment has been undertaken using professional and scientific judgement and is assessed primarily in terms of potential spatial and temporal impacts.

The spatial scope of the in-combination assessment is an approximately 6km stretch of tidal river between Waterford City and Cheekpoint based on the potential underwater noise generation from the proposed site investigations and the morphology of the lower River Suir estuary. 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 3-year licence and thus the temporal scope is 3 years.

Table 4. Potential sources of impact that could act in-combination with the application

Impact	**Potential Cumulative Pathway**
Underwater Noise	Geophysical and geotechnical survey methods or other noise generating activities that would result in cumulative effects on QIs.
Above water noise and visual disturbance	Above water noise and visual disturbance producing activities that would result in significant cumulative effects on QIs.
Habitat Disturbance	Activities that would result in cumulative effects on potential Atlantic Salt Meadow habitat at this location.
Changes in Suspended Solids	Activities that would result in significant levels of increased suspended sediments.

Prediction:

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

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

There is the potential for increased visual and above water noise disturbance if other sound generating projects were to spatially and temporarily overlap.

Potential for increased habitat disturbance should other intrusive projects be planned in this habitat.

Potential for increased suspended solids from other projects spatially and temporally overlapping.

<u>Identification of Plans or Projects that could act in combination</u>

A search was carried out on 12/08/2026 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 5 are within the spatial and temporal scope of the proposed site investigations.

Table 5: 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
An Coimisiún Pleanála ref. ACP-323575-25. MARA MAC ref. MAC20230001	Belview Port Offshore Renewable Energy (ORE) Operations and Maintenance facility, which includes a 250m extension to existing wharves, suspended quay, two pontoons, rock armour and reclamation of 1.2 hectares	1	Granted
MARA MUL ref. LIC230025 & EPA Dumping at Sea permit ref. S0012-05.	Dredging – Port of Waterford Company maintenance dredging MUL and Dumping at Sea Permit.	Overlaps	Permitted
MARA MUL ref. LIC230013	Geotechnical investigation required to support the design of a proposed 250m Offshore Renewable Energy (ORE) capable quay extension in the River Suir at the Port of Waterford, Belview, Co. Kilkenny.	<1km	Granted
MARA MUL ref. MUL240003	Marine environmental surveys for the purposes of site investigation. Wexford County Council licensed to undertake pre dredging environmental surveys in the River Barrow.	<5km	Granted
MAC240021	ESB Installation of a new 38KV electricity underground cable.	<5km	Granted

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

- Waterford City & County Development Plan 2022-2028
- Ferrybank-Belview Local Area Plan 2025

- The Belview Port Masterplan 2020–2044

In-Combination Effects Assessment conclusion

Potential in-combination impacts from underwater noise have been identified from the Port of Waterford Company maintenance dredging and the Belview Port ORE project activities as these are within the temporal and spatial scope of the proposed site investigations. There is potential for increased underwater noise disturbance effects on migratory fish QIs if activities capable of producing similar underwater noise sources, were to take place at the same time. However, given the mitigation measure requiring a seasonal restriction on the proposed site investigation activities (see Section 3.8.3), cumulative pressures from underwater noise are not expected.

Potential cumulative pressures from other activities causing above water noise and visual disturbance on Otters in the Lower Suir Estuary (e.g. the Development of ORE facility at Belview Port, see Table 5), would not have in-combination effects due to the separation distance of approximately 1km and the mitigation measure for Otter given in Section 3.8.3.

No potential cumulative impacts due to habitat disturbance of potential Atlantic Salt Meadow habitat at this location have been identified in the in-combination assessment. The mitigation given in Section 3.8.3 will avoid impacts from the proposed activities.

Maintenance dredging is carried out in the River Suir estuary within the proposed MUL area. Due to the low magnitude and limited duration of the proposed site investigations, as well as the natural variability in background suspended solids levels, changes in suspended solids due to sediment mobilisation would not be likely to have a significant effect on migratory fish species alone or in-combination.

It has been concluded based on the small scale and temporary nature of the site investigations, in-combination effects from underwater noise, above water noise and visual disturbance, habitat disturbance or changes in suspended solids are not anticipated, subject to the implementation of mitigation measures (see Section 3.8.3).

3.8.3 Mitigation measures

Mitigation measures for those impacts identified in Section 3.8.1 are detailed below.

Underwater noise

A seasonal restriction is required to avoid impacts on Annex II migratory fish during the months of April to October, as follows:

The Holder shall not undertake geophysical surveys and borehole drilling between 1st April and 31st October annually, to ensure least disturbance to migratory fish species.

Above water noise and visual disturbance

In order to mitigate against potential pressures on Otters, disturbance to any holts or natal dens should be avoided, as follows:

The Holder shall not undertake site investigations within 30 m around any otter holt sites and 150 m around any natal dens in the Lower River Suir Estuary SAC, to ensure least disturbance to Otters.

Habitat Disturbance

As the potential presence of Atlantic Salt Meadows along the northern boundary of the MUL application area could not be ruled out, a condition of the proposed licence is recommended, as follows:

i) 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.

ii) Disturbance of Atlantic Salt Meadow vegetation shall be avoided by machinery and personnel.

iii) 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 to ensure minimal disturbance and ensure site integrity. The site should be fully reinstated post works.

3.8.4 Residual effects

This assessment has identified potential significant impacts on European Sites and their QIs and conservation objectives in Section 3.8.1 and recommends mitigation measures as conditions in the 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 potential significant impacts due to (i) underwater noise disturbance - possible adverse effects on populations of migratory fish species (ii) visual and above water noise disturbance - possible disturbance to Otters during proposed site investigations; and (iii) habitat Disturbance - possible physical disturbance to Atlantic Salt Meadows during access to proposed site investigation works and (iv) suspended solids impacts on migratory fish. Likely significant impacts from the proposed site investigations 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 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 detailed 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.

4.1 Commercial Vessels

The proposed MUL area is located 200m upstream from the important shipping and container Port of Waterford at Belview and 7km downstream of Waterford City. The proposed site investigations, which involve the use of survey vessels and work platforms, have the potential to temporarily interact with other commercial vessel operators in the River Suir Estuary. It is recommended that any licence granted includes a condition requiring the publication of a Notice to Mariners in advance of the proposed site investigation activities and consulting with the Port of Waterford Company. It is considered that likely significant impacts to commercial vessels will be avoided through application of this condition.

4.2 Commercial Fisheries

The proposed MUL area does not overlap with the main commercial inshore fishing grounds in the estuary. Accordingly, significant impacts on commercial fisheries are not anticipated given the temporary nature of the SI activities and spatial separation between the activities and the inshore fishing grounds.

The nearest licenced shellfish aquaculture site is located 4 km from the proposed MUL area, while the nearest designated shellfish water area is 3 km away. However due to the scale and duration and the distance of the proposed site investigation from the identified areas, significant impacts on aquaculture operations or shellfish waters are not anticipated.

4.3 Recreational Users

Due to the location, scale and duration of the proposed site investigations, no significant impacts on recreational estuary users would be likely. In addition, no designated bathing waters are located in the vicinity of the proposed MUL area.

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. Nine 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. Observations summary – Bord Iascaigh Mhara (BIM)
Observations were received on 08/05/2026 from BIM. BIM noted that shellfish bioaccumulate through filter feeding and the BIM concern would be that chemicals/metals (Waterford Framework Directive 45 Priority substances) could potentially be dispersed in fine sediments through the planned activity of borehole drilling. BIM also noted that the MUL application states that grab samples will be tested for chemicals and recommend that samples are tested for WFD Priority Substances before drilling and that if any levels of priority substances are very high that BIM are notified. To mitigate further any potential risk of bioaccumulation of WFD Priority substances BIM recommends borehole drilling be undertaken on flooding tides to lessen downstream transport of fine sediments.

MARA Response:

MARA notes the observations of BIM. However, due to the small scale and magnitude of sediment mobilisation from borehole drilling (10 no. boreholes are proposed, with a diameter of 300 mm) it is unlikely that there would be a potential risk of bioaccumulation of WFD Priority substances in receptors as a result of the proposed site investigations. It is noted by

MARA that sediment chemistry testing has been undertaken by the Port of Waterford Company in this area, in line with national standards[3] and the material has been classed as clean.

2. Observations summary – the Marine Institute (MI)
Observations were received on 11/05/2026 from the Marine Institute. In the view of Fisheries Ecosystems Advisory Services (FEAS) the site investigation works will have minimal to no impact any fish stocks, fisheries or aquaculture sites. The Marine Institute advised that the proposed site investigations would not interfere with fishing activities or fish ecology/biology. There are no aquaculture sites within the survey area, though there are licensed Aquaculture sites further downstream in the Shellfish Water Directive area of the estuary.

MARA Response:

MARA notes the observations of the MI in relation to fish stocks, fisheries and aquaculture sites and that the activities will have minimal to no effect on fish stocks, fisheries or aquaculture sites

3. Observations summary – Port of Waterford
Observations were received on 12/05/2026 from the Port of Waterford Company. The applicant is requested to provide mapped information to the Port of Waterford Company with proposed borehole locations, particularly in proximity to the navigation channel. The Port of Waterford recommends the following conditions: • Licence Holder to give Port of Waterford a minimum of 30 days' notice in advance of commencement of works to allow for publication of a Local Notice to Mariners. • All vessels engaged by the operator to be appropriately certified, insured, and manned by suitably qualified personnel. • All vessels engaged by the operator will be subject to standard Port of Waterford Company protocols, licenses, and charges. • In the event of potential temporal overlap of any geophysical, seismic, and geotechnical activities, Port of Waterford Company's safety of navigation surveys will take priority. • Port of Waterford Company to be consulted prior to deployment of any monitoring buoys. • Any buoys deployed to have Statutory Sanction from Commissioners of Irish Lights. • Port of Waterford to be consulted during planning phase of the new outfall.

[3] Guidelines for the assessment of dredged material in Irish Waters, Marine Institute 2006 and 2009 Addendum.

MARA response:

MARA notes the observations of the Port of Waterford Company. Conditions have been recommended in the licence, if granted, regarding consultation with the port company prior to the commencement of the activities, publication of a notice to mariners and ensuring vessels are certified according to Irish Certification standards, as required by the Marine Survey Office. It should be noted that the deployment of metocean/surface marking buoys or marine aids to navigation are not proposed as part of the subject site investigations.

4. Observations summary – The Marine Divisions of the Department of Agriculture, Food and the Marine (DAFM).
Observations were received on 25/05/2026 from DAFM. While the proposed activity is not anticipated to impact on inshore fishers, they suggest that relevant local fishing organisations should nevertheless be engaged with at the earliest opportunity, to avoid potential disruption and displacement. They also suggest that the publication of a Local Notice to Mariners, through the Port of Waterford Harbour Master, should be done in a timely manner, so that relevant navigational safety information is provided to local maritime users. DAFM recognises that the developer's aim is to promote co-existence and minimise potential disruption to commercial fishing activities in the area. The evaluation of potential impacts of the site investigations on commercial sea fishing activities needs to be given consideration within the context of the requirements set out under the Maritime Area Planning Act and the National Marine Planning Framework (NMPF). The principles in the NMPF of avoiding, minimising, or mitigating impacts on access to existing activities (including specific policies on Fisheries and Aquaculture) should be followed and any proposed development activity should incorporate the principle of maximising coexistence with established activities in marine areas.

MARA Response:

MARA notes the observations of DAFM. Conditions are recommended in the licence to ensure minimal disruption to other users including consultation with the Port of Waterford Company. The publication of a Local Notice to Mariners is also recommended. It is noted that the proposed site investigations are unlikely to interfere with fishing or aquacultural activities. Due to the small scale and limited duration of the proposed site investigations, there is no further potential for significant impact on co-existence of maritime uses. Section 3.1 of this report discusses the alignment of the application with the NMPF.

5. Observations summary – Geological Survey of Ireland (GSI)
Observations were received on 13/05/2026 from GSI. GSI recommended that MARA consider the use of a range of independent geological datasets as part of its assessment.

MARA response:

MARA acknowledges the submission from GSI and can confirm the use of several geological datasets in the current assessment.

6. Observations summary –the Commissioners of Irish Lights (CIL)
Observations were received on 19/5/2026 from CIL. CIL refers in their observation to metocean buoys and requests that prior to any such deployment of marine aids to navigation (AtoN) a statutory consent must be applied for by the Local Lighthouse Authority (LLA) and granted by Irish Lights under the Merchant Shipping Act. CIL notes that Appropriate Assessment activity conducted as part of this MUL licensing process should include the impact of the deployment of beacons and/or surface marking buoys and associated moorings.

MARA Response:

MARA notes the observations of CIL. The deployment of surface marking buoys or marine aids to navigation are not proposed as part of the subject site investigations. MARA MUL's contain a condition as standard noting that the licence does not negate the holder's statutory obligations under any other law.

7. Observations summary – the National Monuments Service of the Department of Housing, Local Government and Heritage
Observations were received on 26/05/2026 from the Development Applications Unit of the National Monuments Service. This observation notes that the MUL application area contains protected wrecks and detailed archaeological recommendations are submitted in the observation received.

MARA response:

MARA notes the observations of the National Monuments Service. The advice received in relation to the potential impacts on underwater archaeology would require consultation to take place between Uisce Eireann and the National Monuments Service prior to the commencement of the Permitted Maritime Usage. A condition has been recommended to be included in the licence, if granted, to ensure the holder consults with the NMS prior to the commencement of the activities and to comply with their requirements (see also Section 3.1 of this report in relation to underwater cultural heritage).

8. Observations summary – Inland Fisheries Ireland (IFI)
Observations were received on 22/05/2026 from IFI. The IFI concur with the applicant's proposed seasonal restriction on noise-generating surveys, to not undertake borehole

drilling or geophysical surveys during the peak combined period of migratory fish spawning movements between April and October. The IFI also notes that outside of the seasonal restriction times for mitigation of the impact of underwater noise on fish species, the use of soft-start and ramp-up procedures for any sound-generating works should be undertaken.

MARA response:

MARA notes the observations of IFI. The seasonal restriction advice from IFI in respect of migratory fish species is recommended to be included as a condition of the Proposed Licence and is discussed in Section 3.8 of this report (Appropriate Assessment). The soft-start or ramp-up procedure will be required to be undertaken as part of the marine mammal mitigation measures discussed in Section 3.7 (Annex IV species) recommended as a condition of the licence, if granted.

9. Observations summary – Marine Survey Office (MSO)
Observations were received on 01/05/2026 from the MSO. MSO recommended a Local Notice to Mariners through the Port of Waterford and that bathymetry data gathered during the proposed surveys shall be shared with UKHO and INFOMAR.

MARA response:

MARA notes the observations of the MSO. It is recommended that a Notice to Mariners through the Port of Waterford is included as a licence condition and a condition for the submission of bathymetry data be included in the licence, if granted, in line with the MSO observations.

7. Public consultation

A public consultation was undertaken between 02/06/2026 – 08/07/2026, 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 submission is summarised in this section, with a response given below. The MARA website should be consulted to view the full details of the submission received.

10. Submission summary – Member of the public
The submission was received by MARA dated 24/06/2026 from a member of the public in relation to the granting of the proposed licence.

The following points were made in the submission:

- That the person is the owner of a Pre-Magna Carta Several Fishery, including title to the underlying bed, soil, foreshore and ancillary maritime rights, as registered by Tailte Éireann under Part 3 of Folio WD1647 and that MARA holds no statutory authority to grant third-party commercial permissions over ancient titles.
- That Uisce Éireann does not have consent from him to enter onto foreshore lands within the Waterford Estuary to undertake the proposed site investigation works.
- That there is an error in Uisce Éireann's application to MARA (MUL240022) in which Uisce Éireann states that the maritime area/foreshore in question "is not private lands".

MARA Response:

MARA notes the issues raised by the submitter. MARA has reviewed and had regard to the points raised in this submission and the documents included. In assessing this MUL application MARA has also had regard to the criteria specified in the MAP Act, including the state's obligations under the Birds and Habitats Directives (79/409/EC and 92/43/EEC), the Water Framework Directive (2000/60/EC) and the Marine Strategy Framework Directive (2008/56/EC) – see Sections 3.5– 3.8 of this report.

Section 99 of the MAP Act, in relation to privately owned parts of the maritime area, applies to applications for Maritime Area Consents (MAC) and does not apply to Maritime Usage Licence (MUL) applications.

8. Recommendation

Having considered the information submitted in support of the application, and the criteria specified in the Maritime Area Planning Act 2021, as amended, 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, Dublin 1, D01 NP86, 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, subject to the conditions in the Proposed Licence and for a duration of 3 years.

Signed:	[redacted]
Prepared by:	Tom Manning Marine Analyst
Date:	19/08/2026

9. Appropriate Assessment Determination

Having considered:

- the application information submitted by the applicant;
- observations received further to public body consultation;
- submissions received further to public consultation, and
- this *Maritime Usage Licence Assessment Report,*

together with my own assessment, it can be concluded, and I determine, for the purposes of Article 6(3) of the Habitats Directive (92/43/EEC) and Regulation 42(11) of the European Communities (Birds and Natural Habitats Regulations) 2011 that the proposed **marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000** at the **River Suir Estuary adjacent to the townlands of Kilmurry, Gorteens, Little Island, Ballycanvan Big and Faithlegg** (MUL250022) (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 the foregoing **Section 3.8 –** Appropriate Assessment. These mitigation measures are included in the licence and must be incorporated into any consent that may be granted in respect of the respective maritime usage licence application.

Signed:	[redacted]
Appropriate Assessment Determination by:	**John Evans** Director of Maritime Usage Licensing
Date:	21/08/2026

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 & site code	Distance from proposed MUL area (km)	List of Qualifying Interests	Connections (Source-pathway-receptor)	Site-specific conservation objectives
Lower River Suir SAC (Site code: 002137)	Overlaps with MUL area	Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330] *Alosa fallax fallax* (Twaite Shad) [1103] *Salmo salar* (Salmon) [1106] *Lampetra fluviatilis* (River Lamprey) [1099] *Petromyzon marinus* (Sea Lamprey) [1095] *Lutra lutra* (Otter) [1355]	Yes Potential underwater noise disturbance to migratory fish species and Otters; potential for above water noise and visual disturbance on Otters; potential physical disturbance to Atlantic salt meadow habitat; potential impacts due to changes in suspended solids on migratory fish.	NPWS (2017) Conservation Objectives: Lower River Suir SAC 002137. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

River Barrow and River Nore SAC (Site code: 002162)	2.3	*Petromyzon marinus* (Sea Lamprey) [1095] *Lampetra fluviatilis* (River Lamprey) [1099] *Alosa fallax fallax* (Twaite Shad) [1103] *Salmo salar* (Salmon) [1106]	Yes Potential underwater noise disturbance impacts on migratory fish species.	NPWS (2025) Conservation Objectives: River Barrow and River Nore SAC 002162. Version 2. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.