

Maritime Usage Licensing and Planning Advisory Directorate (MULPA)

Maritime Usage Licence Assessment Report

To:	John Evans, Director	From:	Dr. Alison McCarthy and Dr Ciar O'Toole Senior Marine Advisors
Date:	24/07/2026	Maritime Usage Licence Application Reference No:	MUL260021
MUL Applicant name:	Department of Climate, Energy and the Environment		
MUL Applicant Registered Address:	Tom Johnson House, Haddington Road, Dublin, D04 K7X4.		
Licence application received:	20/04/2026		
Type 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 usage:	Within the South Coast Designated Maritime Area Plan, from the nearshore out to the 75 m depth contour stretching from approximately 37 km southeast of Carnsore Point off the Wexford coast, west to Oysterhaven, County Cork.		
Environmental Impact Assessment (EIA) Screening	EIA not required (EIA Screening Form dated 15/06/2026)		
Appropriate Assessment Screening	Appropriate Assessment Screening and Determination Report (issued 15/06/2026)		
Request for additional information (RAI) issued:	28/05/2026	Response to RAI received	09/06/2026
Notice requesting Natura Impact Statement (NIS) issued:	n/a	NIS received:	20/04/2026
Public body consultation:	Commenced 22/04/2026	Observations from public bodies received:	Eight
Public consultation:	22/06/2026 to 24/07/2026	Submissions from the public received:	Zero

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1. Background

The Department of Climate, Energy and the Environment (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 (the MAP Act). The proposed maritime usage is required in support of Ireland's Ocean Renewable Electricity Support Scheme (ORESS). The objective of the surveys is to characterise seabed and sub-seabed conditions and to collect baseline metocean, benthic and acoustic data to support the feasibility, design and environmental assessment of future offshore wind and grid infrastructure in the South Coast Designated Maritime Area Plan (SC-DMAP)¹.

2. Location and Description of the Proposed Maritime Usage

The proposed maritime usage activities (or site investigation activities) are shown on Table 1. The applicant has applied for a MUL duration of 5 years during which the surveys will be carried out on a phased basis annually, proposed to commence in Q2/Q3 of 2026 or 2027. The surveys will take place mainly in the four Maritime Areas identified in the SC-DMAP, namely Lí Bán (Area B), Manannán (Area C) and Danu (Area D), with some additional surveys planned for Tonn Nua (Area A). Survey activities will also include potential cable route corridors from Cork Harbour and corridors between Maritime Areas A to D, with certain activities extending across the wider SC-DMAP area where required.

Table 1 Summary details of the proposed site investigation activities and estimated sound produced.

Equipment & purpose	Equipment details & estimated sound produced
Geophysical surveys (duration 3–4 months annually)	
Multibeam echo sounder (MBES)	Operating frequency (Freq.) 200–400 kHz. Sound Pressure Level (SPL) 210 dB re 1 µPa @1 m.
Sub bottom profiler	Freq. 3.5–12 kHz. SPL 223 dB re 1 µPa @1 m.
Side scan sonar	Freq. 300 – 900 kHz. SPL 228 dB re 1 µPa @1 m
Magnetometer	No noise produced
Gradiometer	No noise produced
Ultra-short baseline (USBL) acoustic positioning system	Freq. 15–40 kHz. SPL 190–210 dB re 1 µPa @1 m

¹ [South Coast Designated Maritime Area Plan](#)

Sparker system - surface towed, with 48 channel hydrophone array (length 300 m).	Freq 250 Hz – 1.75 kHz. SPL 223–226 dB re 1 μ Pa @1 m.
Mini air gun	Max. 12 in ³ . Freq. < 250 Hz. SPL 230 dB re 1 μ Pa @1 m.
Geotechnical surveys (duration 2–3 months annually)	
Cone Penetration Testing (CPT) or Thermal CPT (TCPT)	Up to 70 m below seabed. 20–40 No. Freq N/A. SPL 160–190 dB re 1 μ Pa @ 1 m
Boreholes (shallow and deep)	Up to 70 m below seabed, 10–45 no. Low Freq up to 600 Hz. SPL 145-190 dB @ 1 m
Day grab and/or Hamon grab	0.1 m ² , upper 10–20 cm of seabed, Max. 250 No.
Vibrocore sampling	Up to 6 m below seabed. 20–45 No. 75–120 mm diameter. Freq. 20–50Hz. SPL 160–190 dB re 1 μ Pa @ 1 m
Biological surveys* (duration 12–24 months)	
Static Acoustic Monitoring (SAM) using Autonomous Multichannel Acoustic Recorder (AMAR) and/or F-PODs (Full waveform capture POD)	Moored deployments Passive cetacean monitoring.
Passive Acoustic Monitoring (PAM)	Passive monitoring. Detection only. Towed 4 element hydrophone array
Remotely Operated Vehicle (ROV) or dropdown video/stills	Localised low-level noise only from thrusters
Metocean Surveys (duration 12–36 months)	
Metocean Buoys with passive monitoring equipment, which may include floating Lidar, wind, current and water quality sensors and solar panels.	2 No. with associated moorings and anchors. Passive, no noise produced.
Conductivity Temperature Depth Profiler (CTD)	Sampled from a vessel. No noise produced.
Water Quality Sondes/Sensors	Sampled from a vessel or buoy mounted. No noise produced.
Global Navigation Satellite System (GNSS)/Global Positioning System (GPS)	Vessel mounted or on buoy system. No noise produced.
Acoustic Doppler Current Profilers (ADCPs)	Up to 3 No. Operating frequency $\geq$ 300 kHz. Installed in seabed frames, with clump weight.
Vessels	

Survey vessels including but not limited to the RV Tom Crean and/or suitable local vessels will be used. Geotechnical surveys will be undertaken from a vessel or a Jack-up barge (with tug vessel). Maintenance and data retrieval from fixed deployments (e.g. metocean equipment) will be required intermittently.

*aerial surveys for marine mammals and birds 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.

2.1 Brief description of the site characteristics

The MUL application area covers 5,654 km² and extends from the nearshore into the Celtic Sea. The depth range is approximately 10–75 m. There are a range of broad habitat types in the MUL application area. Shallow sublittoral sand and coarse sediments dominate the deeper (>40 m) sections and closer inshore there are areas of shallow sublittoral coarse mixed sediment, sublittoral rock and biogenic reef and shelf sublittoral rock and biogenic reef.

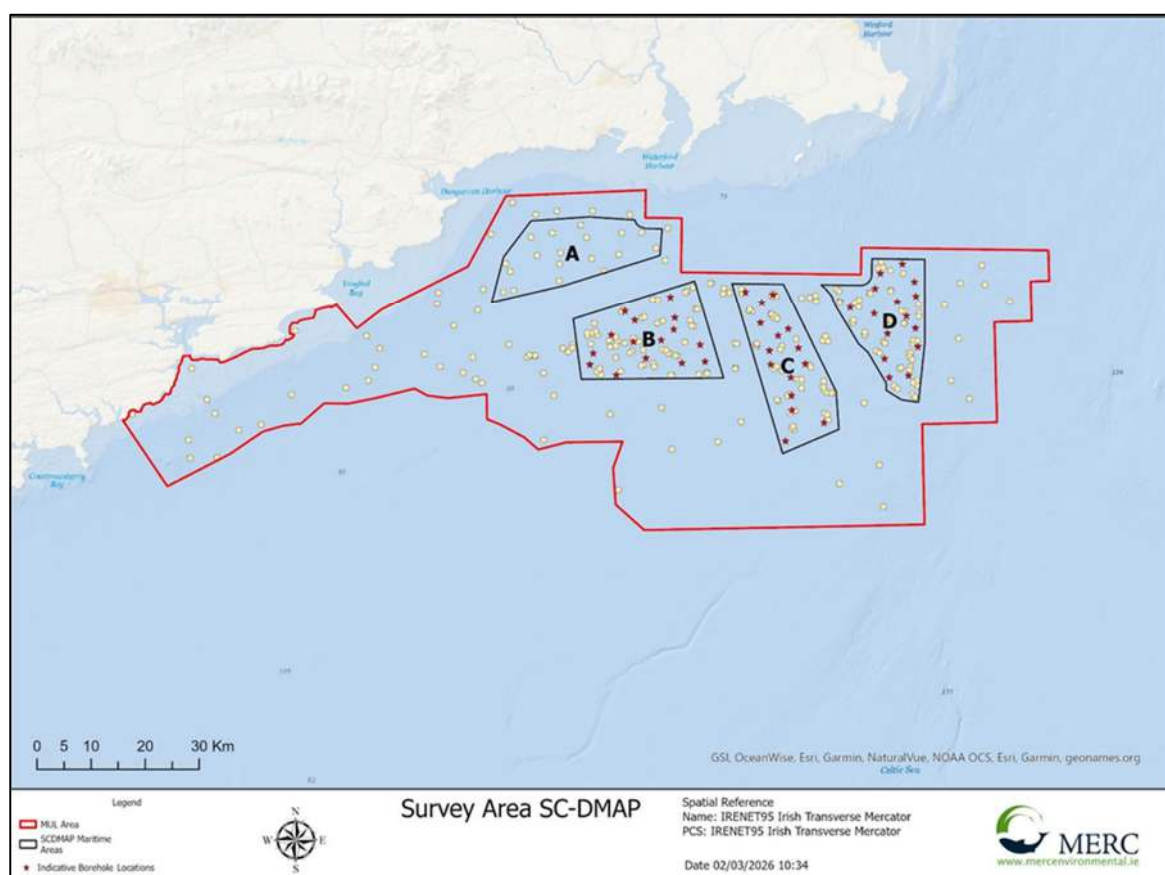


Figure 1: Proposed MUL area (red line) showing SC-DMAP Maritime Areas A to D and with indicative borehole (in red) and grab (in yellow) survey locations (applicant's map).

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 maritime usage is consistent with the key sectoral policy on Offshore Renewable Energy in Ireland, Sectoral Policy 13 of the NMPF. It is in line with the plan-led approach to consenting and ORE development and will support the Government's renewable energy targets. It is also compliant with the overarching marine planning policies of the NMPF. With specific mitigation, as set out in this assessment report, the Ocean Health policies will be adhered to during this Proposed Maritime Usage.

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. The applicant notes that there are over 250 wrecks indicated in the proposed MUL area on National Monuments Service data viewers, many of which are likely to be wartime wrecks. The applicant notes that they will avoid these wrecks while undertaking intrusive surveys by undertaking geophysical surveys in advance of geotechnical surveys. It is recommended to include this as a condition of the licence, if granted. A condition is also recommended, requiring the holder to consult with the NMS prior to the commencement of the site investigation activities and to comply with their requirements in relation to underwater cultural heritage.

3.2 South-Coast Designated Maritime Area Plan

This assessment has had regard to the policy objectives detailed in the SC-DMAP including policy objectives for overarching environmental protection, biodiversity, water quality, marine litter, underwater noise and co-existence. The proposed site investigations will gather baseline data and generate the technical and environmental evidence base needed to realise renewable energy delivery. The biological surveys will contribute to the planning process and aim to accelerate timelines to meet renewable energy targets. Data acquired will be made publicly available to participants in the ORESS energy auction process. The proposed site investigations are in line with the objective of co-ordinated and plan led delivery of offshore wind.

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

MARA carried out a screening for EIA of the proposed site investigation activities having considered Schedules 5 and 7 of the Planning and Development Regulations 2001. An EIA

Screening Form was issued by MARA on 15/06/2026 and it was concluded that the activities do not fall within the scope of the EIA Directive and therefore an EIA is not required.

3.4 National Biodiversity Action Plan (NBAP)

Ireland's 4th National Biodiversity Action Plan sets the national biodiversity agenda for the period 2023–2030. The applicant notes that they have collaborated extensively with other Agencies and Departments to ensure that the survey specifications proposed in the MUL application cover a multitude of marine data needs (including species monitoring) to ensure that data is collected once and used often in order to minimise impacts on the receiving environment. A condition is recommended to be included in the licence, if granted to address the potential risks from invasive alien species as a result of the survey activities. Sections 3.6–3.9 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.

3.5 Climate Action and Low Carbon Development Act 2015, as amended ('Climate Act')

Section 15(1) of 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 proposed activities will contribute to the furtherance of the national climate objective as set out in the Climate Act. The application is in line with the Climate Action Plan 2025² and will contribute to meeting the national targets for offshore wind of 5 GW by 2030 as set out in that Plan. Considering the temporary nature of the proposed site investigation activities, no significant carbon emissions are expected to be produced from the activities.

3.6 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.

A small portion of the MUL application area traverses four WFD coastal waterbodies. Table 2 shows those WFD waterbodies and their current status and risk. As the proposed site investigation activities are focussed on the Maritime Areas within the SC-DMAP (see Figure 1), there will be minimal intrusive site investigation activities within the WFD waterbodies that might impact benthic invertebrates or hydromorphology (<10 grab samples indicated by

² [Climate Action Plan 2025. Government of Ireland.](#)

the applicant). The applicant notes that the vessels used will be in strict compliance with legislative requirements for preventing pollution from ships, including the control of ballast water. The activities will not result in nutrient or chemical input into the receiving environment. Conditions are recommended to be included in the licence, if granted, to prevent any water quality deterioration by ensuring the holder has an oil pollution response plan in place and undertakes the activities in accordance with the plans and particulars submitted in support of the application.

Given the nature and location of the proposed activities, there will be no impact on hydromorphology, biological quality elements or physico-chemical parameters in any WFD waterbody and no deterioration in the ecological status of any WFD waterbody.

Table 2: Information on the Water Framework Directive (WFD) waterbodies located within the MUL application area from the reporting period 2019–2024, including status, risk and significant pressures for the at-risk waterbodies⁷

Waterbody name & code	Waterbody type	Ecological status & Risk*	WFD significant pressures
Eastern Celtic Sea (HAs 13; 17) IE_SE_050_0000	coastal	High & not at risk	n/a
Ballycotton Bay IE_SW_040_0000	coastal	High & not at risk	n/a
Western Celtic Sea (HAs 18;19;20) IE_SW_010_0000	coastal	High & not at risk	n/a
Outer Cork Harbour IE_SW_050_0000	coastal	Good & at risk	nutrients & agriculture

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

3.7 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 3 sets out the status of the relevant descriptors and assesses the potential impacts of the proposed activities.

³ [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	GES achieved	Assessment
Biological diversity	Partially achieved	MARA has undertaken an Appropriate Assessment (AA) in respect to the proposed activities (see Section 3.9). Biodiversity is also discussed in Section 3.4 of this report. Mitigation measures have been identified and recommended for inclusion in the licence, if granted, which address potential impacts on biological diversity. This descriptor will not be impacted, subject to those mitigation measures.
Non-indigenous species	Yes	To ensure that the proposed activities will not impact this descriptor, a condition is recommended to be included in the licence, if granted, relating to the control of invasive species.
Population of commercial fish/shellfish	Partially achieved	This assessment of GES is based on whether stocks are being fished at or below the maximum sustainable yield (MSY) and whether spawning stock biomass is above the level that can produce MSY. There is a licensed aquaculture site (for Pacific Oyster) in Ballymacoda Bay, <3 km from the MUL application area. Only grab sampling is proposed in the vicinity of Ballymacoda Bay and thus the proposed activities will not impact on aquaculture activities due to suspended sediments, vibration or underwater noise. The MUL application area lies within large-scale spawning and/or nursery grounds for a number of commercial fish species, including cod, herring, whiting, haddock, horse mackerel, mackerel and megrim. The nature and scale of the proposed activities is such that spatial and temporal overlap with these fish spawning and/or nursery areas will be limited. The area overlaps with some Nephrops grounds, though there will be minimal survey activity in these grounds. The applicant modelled the potential impact of underwater noise on herring as a

		representative fish species (with a swim bladder) from the sparker and air-gun systems. The modelled zone of impact from the airgun is greater than the sparker and the modelling report recommends use of the sparker over the airgun where possible. This is recommended to be included as a condition of the licence, if granted. Section 3.9 of this report, Appropriate Assessment, includes a mitigation measure which is recommended as a condition in the licence in relation to marine mammals. The holder will be required to implement soft-start (or ramp up) procedures, in line with national guidance on underwater noise and marine mammals. This will also minimise the potential for acoustic disturbance to fish in the MUL application area. The sound source is initiated at the lowest practicable power level and gradually increased in a controlled manner over a defined period, allowing fish to detect the initial low-level noise and move away before full operational output is reached. In light of the proposed licence conditions, there is not expected to be an impact on this descriptor from the proposed activities.
Marine food webs	Unclear	The balance and diversity in marine food webs are not expected be impacted as a result of the proposed activity. Impacts on habitats, species and water quality are assessed in this report with appropriate mitigation, as licence conditions, recommended.
Eutrophication	Yes	The proposed site investigation activities will 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 activities will negatively impact on the GES status of this descriptor given the small footprint of the geotechnical activities (from 0.1 m ² for the grab samples up to 120 mm diameter for the vibrocore and boreholes). Soft seabed substrates

		are expected to return to normal levels relatively quickly. Reef habitats will be avoided by undertaking geophysical surveys in advance of geotechnical surveys, which is recommended as a licence condition.
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. The proposed activities will not introduce contaminants into the receiving environment - see discussion in Section 3.6 on water quality of this report.
Contaminants in fish/seafood for human consumption	Yes	Section 3.6 of this report includes an assessment of potential impact on water quality from the proposed activities. The proposed site investigation activities will not result in the introduction of contaminants in fish or seafood and therefore, will not impact on the GES status of this descriptor.
Marine Litter	No	The proposed activities 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. Any proposed licence, if granted, includes 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.
Introduction of energy including underwater noise	Yes	In order to inform the data collected as part of MSFD requirements, a condition is recommended to be included in the licence, if granted, requiring the holder to provide details of all geophysical and geotechnical 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. Underwater noise impacts

		are assessed in Sections 3.8 (Annex IV species) and Section 3.9 (Appropriate Assessment) of this report.
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3.8 Annex IV species

Articles 12 and 13 of the Habitats Directive impose obligations on Member States to establish a system of strict protection for animal and plant species listed on Annex IV of the Directive. 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. To this end, the applicant submitted an Annex IV Risk Assessment in support of the application. The Annex IV Risk Assessment identified potential impacts from the proposed site investigations on the cetacean species most frequently recorded in the Celtic Sea. The applicant submitted site specific modelling, focussing on the impact of the activities on Minke Whale from the sparker and airgun, which have the greatest level of underwater noise impact of the surveys proposed.

Temporary hearing loss resulting in Temporary Threshold Shift (TTS), or auditory injury leading to Permanent Threshold Shift (PTS) are possible as a result of the underwater noise generated from the proposed activities. Based on the modelling, TTS as a result of the sparker are estimated to occur up to 1.1 km from the noise source while PTS is expected within close range (0.2 km). For the mini-airgun TTS is expected within 1.9 from the noise source, while PTS is expected within very close range (0.3 km). Behavioural responses are expected over a wider range, up to 2.9 km. Minke whale is recognised as being in a ‘mid-frequency’ functional hearing group. Species such as Harbour porpoise, which is in the ‘high frequency’ functional hearing group, may be impacted by behavioural responses over a wider distance range (estimated as 5 km for a mini airgun of $\leq 12 \text{ in}^3$ in UK’s Joint Nature Conservation Committee 2025 guidance⁴). Mitigation measures in relation to cetaceans are therefore required for all geophysical surveys, to avoid TTS and PTS and to minimise the potential for behavioural responses.

Borehole drilling surveys are also recognised to cause lower-level behavioural disturbance impacts on cetaceans; therefore, mitigation measures are also required for those surveys. Marine Mammal Observers will be required to be in place for geophysical and borehole drilling surveys, and monitoring must be undertaken in line with the current national guidance (NPWS 2014⁵). The applicant suggests that a 500 m monitored zone will be applied for all

⁴ JNCC, 2025. Report 803. Updated Effective Deterrent Ranges (EDRs) for assessing the significance of noise disturbance in harbour porpoise Special Areas of Conservation (SACs).

⁵ NPWS, 2014. Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters.

surveys. However, a 1,000 m monitored zone should be applied where the sparker and/or mini airgun are being used, in accordance with the national guidance. No surveys can commence if a marine mammal is detected within the monitored zone. National guidance also includes the provision of a 30-minute soft start, or ramp-up procedure when utilising the survey equipment. Mitigation measures will also be required to avoid in-combination impacts from acoustic disturbance from the proposed activities in combination with other surveys of a similar nature with temporal and spatial overlap (see Section 3.9.3).

The applicant notes that moorings and seabed frames will be designed to minimise entanglement risk. A condition is thus recommended to be included in the licence if granted to ensure the activities are undertaken in accordance with the plans and particulars submitted with the application.

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 investigation activities. The onus is on the holder of the licence, if granted, to ensure all necessary authorisations are obtained. Condition 3.4 of the Proposed Licence specifies that the licence does not negate the holder's statutory obligations under any other law.

3.9 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 15/06/2026 which concluded that the proposed site investigation activities 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.

Fourteen European Sites were screened in for appropriate assessment by MARA. These included five Special Areas of Conservation (SACs) and nine Special Protection Areas (SPAs). 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 potential source of impact identified at the screening stage and possible significance of those impacts on the Qualifying Interests (QIs) are summarised in Table 4. The applicant submitted a Natura Impact Statement (NIS) in support of the application, dated 16/03/2026.

Table 4: Potential direct and indirect impacts on the Qualifying Interests of European sites identified at screening stage and possible significance of those impacts.

Potential Impacts	Possible significance of Potential impacts (duration, magnitude, etc.)
Marine mammals - Potential for underwater noise disturbance or harm from survey activities.	Although there are no European sites within the MUL application area, there is the potential for underwater sound sources from survey activities to be at a level and duration that could have a significant negative impact on Qualifying Interest marine mammal species that may be foraging within the MUL application area.
Birds - Disturbance and displacement from above or below water noise and vessel activity from survey activities.	Potential for survey activities generating underwater noise or above water noise and vessel activity to be at an intensity and duration could result in a likely significant effect on seabird populations based on species foraging ranges.

3.9.1 Assessment of Likely/Potential Impacts on European Sites

Marine mammals - Underwater noise disturbance or harm

Five SACs were screened in due to the potential for underwater noise to have a significant impact on marine mammal species (by disturbance or harm), namely Bottlenose dolphin, Harbour porpoise and Grey seal, which are QI species for those sites (see Appendix 1). The closest of these is Hook Head SAC, which is immediately adjacent to the MUL application area. The other SACs are > 15 km from the MUL application area, however those marine mammals may forage or travel within the application area and may be indirectly impacted.

There is no detailed information on individual or group movements by Harbour porpoise into and out of Hook Head SAC or whether the species is faithful to the site, however the site is recognised as an important area for the species. Similar gaps remain as to the use of Bottlenose dolphin at Hook Head SAC. In terms of the conservation objectives for Hook Head SAC and those other SACs listed in Appendix 1, the relevant target for marine mammals is that human activities should occur at levels that do not adversely affect their populations. Nationally, populations of Bottlenose dolphin remain favourable, according to 2025 Article 17 reporting⁶. Nationally the status of Harbour porpoise is inadequate with some evidence of a decline in the population from previous reporting periods. Grey seal populations in Ireland are considered to be stable or increasing. Grey seal is a QI of the Saltee Islands SAC, approximately 15 km from the MUL application area.

⁶ NPWS, 2025. The Status of EU Protected Habitats and Species in Ireland.

Marine mammals depend on sound for a wide range of functions including navigation, perception of their environment, communication, prey identification and capture, and the detection of predators. Temporary hearing loss resulting in Temporary Threshold Shift (TTS), or auditory injury leading to Permanent Threshold Shift (PTS) are possible as a result of the underwater noise generated from the proposed geophysical activities. The applicant undertook site specific modelling of the potential impact of the sparker and airgun, which have the greatest level of underwater noise impact. The modelling was based on Minke whale, which is a cetacean in a 'mid-frequency' functional hearing group, as is Bottlenose dolphin. Behavioural responses and TTS as a result of the sparker are estimated to occur up to 1.1 km from the noise source while PTS is expected within close range only (0.2 km). For the mini-airgun behavioural responses and TTS are expected within 1.9 and 2.9 km from the noise source respectively while PTS is expected only within very close range (0.3 km). Harbour porpoise and Grey seal are in different functional hearing groups and may be impacted by disturbance over a wider distance range. For instance, for Harbour porpoise, disturbance effects are estimated as 3 km for a sparker and 5 km for a mini airgun of $\leq 12 \text{ in}^3$ in UK's Joint Nature Conservation Committee 2025 guidance⁷).

In light of the above, mitigation measures are required in order to minimise adverse impacts on marine mammals from geophysical surveys and avoid impacting on their populations from the SACs listed in Appendix 1. Borehole drilling surveys are also recognised to cause lower-level behavioural disturbance impacts on cetaceans; therefore, mitigation measures are also required for those surveys to avoid adverse impacts on the SACs listed in Appendix 1. Marine Mammal Observers will be required to be in place for geophysical and borehole drilling surveys and monitoring must be undertaken in line with the current national guidance (NPWS 2014⁸). The applicant suggests that a 500 m monitored zone will be applied for all surveys. However, a 1,000 m monitored zone should be applied where the sparker and/or mini airgun are being used, in accordance with the national guidance. No surveys can commence if a marine mammal is detected within the monitored zone. National guidance also includes the provision of a 30-minute soft start, or ramp-up procedure when utilising the survey equipment. Mitigation measures will also be required to avoid in-combination impacts from acoustic disturbance from the proposed activities in combination with other surveys of a similar nature with temporal and spatial overlap. These are discussed in Section 3.9.2.

⁷ JNCC, 2025. Report 803. Updated Effective Deterrent Ranges (EDRs) for assessing the significance of noise disturbance in harbour porpoise Special Areas of Conservation (SACs).

⁸ NPWS, 2014. Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters.

Taking into account these proposed mitigation measures there will not be significant adverse impacts on marine mammals, at an individual or population level resulting from the Proposed Maritime Usage. The proposed activities will not result in a deterioration of key resources (e.g. water quality or feeding opportunities) of marine mammals given that the surveys will be temporary and in light of the conditions recommended throughout this report (see Sections 3.6 on WFD and 3.7 on MSFD).

Seabirds – Disturbance and displacement from above or below water noise and vessel activity

There are no SPA sites within the MUL application area, as European sites were avoided in the designation the four Maritime Areas within the SC-DMAP as part of the environmental constraints analysis undertaken. However, the MUL application area may provide access to additional ecologically important foraging areas for seabirds from nearby SPAs. Therefore, nine nearby SPAs were screened in for the potential for indirect impacts on seabirds from disturbance and displacement from above or below water noise and vessel activity. Of these, the Seas Off Wexford cSPA, providing valuable foraging habitat for seabirds, is directly adjacent to the MUL application area. The Sovereign Islands SPA, Cork Harbour SPA, Ballycotton Bay SPA and Ballymacoda Bay SPA are all within 3 km of the MUL application area and the remaining SPAs are > 7 km distance. The Sovereign Islands SPA, Mid-Waterford Coast SPA, Helvick Head to Ballyquin SPA, Old Head of Kinsale SPA and Saltee Islands SPA are all coastal sites protected for a number of breeding seabird species. Ballycotton Bay SPA, Cork Harbour SPA and Ballymacoda Bay SPA are protected for overwintering waterbirds. The proposed site investigation activities could lead to reduced access to additional foraging areas, or significant disturbance if the activities were at an intensity, frequency and duration that could affect bird populations from those SPAs.

In terms of underwater noise, the survey activities will be temporary in nature and the likelihood of high numbers of diving seabirds being in close range of a noise generating survey is low due to the surface activity associated with the survey, disturbing the birds prior to commencement of the underwater noise. The mitigation measure recommended for underwater noise impacts on marine mammals will involve a ramp up or slow start and this measure is also expected to alert diving birds to the activity so they can move to another area. In terms of above water noise and vessel disturbance, the impact of disturbance from vessels differs among seabird species with species such as Red-throated diver and Guillemot demonstrated to be more sensitive than gulls and terns. The vessels associated with the proposed site investigations will be travelling at a relatively low speed during the surveys or may be static at times, which is expected to reduce the impact of flushing disturbance. As a precautionary measure, the applicant proposes to mitigate against impacts on seabirds by avoiding significant clusters of seabirds actively feeding within 500 m of the survey vessels and to maintain a 500 m buffer from the feeding seabirds. It is recommended to include these as conditions in any licence granted. Considering the temporary nature of the activities, the

relatively slow speeds of the survey vessels, the ramp up procedure that will be used prior to the commencement of the noise producing surveys, and the 500 m buffer from clusters of feeding seabirds, the proposed activities are not expected to result in adverse impacts on SPA sites.

3.9.2 Assessment of In-combination effects

The potential impacts of the proposed activities 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 5). This in-combination assessment has been undertaken using professional and scientific judgement.

The spatial scope of the cumulative effects assessment is 5 km and is based the Effective Deterrence Range⁹ of Harbour porpoise (recognised as the marine mammal most sensitive to underwater noise) from the geophysical surveys proposed (specifically the airgun surveys). The temporal scope is 5 years and is based on the period over which the activities are proposed.

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

Impact	Potential Cumulative Pathway
Underwater noise disturbance or harm – marine mammals.	Pathway possible via sound travelling through water with impacts possible within 5 km and where there is temporal overlap with other underwater noise producing projects.
Disturbance and displacement from above or below water noise and vessel activity - seabirds.	Pathway possible sound travelling through air or water with impacts possible where there is spatial and temporal overlap with other noise producing projects, utilising vessels and other survey equipment.

Prediction – magnitude and extent of likely cumulative effects:

Underwater noise disturbance or harm – marine mammals

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.

⁹ [JNCC, Report 803, 2025](#). Effective Deterrence Range is the radius of a circular area assumed to be disturbed

Above and below water noise and visual disturbance and displacement - seabirds

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

Identification of Plans or Projects that could act in combination.

A search was carried out on 24/07/2026 of relevant databases (including EPA, Foreshore, 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 6: Projects identified with the potential to have in-combination effects given the nature and location of the activities

Application Ref. & Applicant	Project description	Distance from proposed MUL area (km)	Status
MUL240036 & MUL240036 Material Amendment EirGrid plc.	Marine environmental surveys for the purposes of site investigation covering a 2,333 km ² area including seven landfall zones.	Overlap	Granted
LIC230017 Microsoft Ireland Operations Ltd.	Marine environmental surveys for the purposes of site investigation	Overlap	Granted
MUL250019 Helvick Head Offshore Wind DAC	Marine environmental surveys for the purposes of site investigation	Overlap	Granted
MUL240026 Uisce Eireann	Marine environmental surveys for the purposes of site investigation	Overlap	Granted
MUL230015 Uisce Eireann	Marine environmental surveys for the purposes of site investigation	Overlap	Granted
MUL240042 Port of Cork Company	Marine environmental surveys for the purposes of site investigation	Overlap	Granted
MUL260003 Oceyon Ag	Marine environmental surveys for the purposes of site investigation	Overlap	Applied
MUL250008	Deposit of dredged material	Overlap	Granted

Port of Cork Company			
MUL250024 Port of Cork Company	Dredging	3 km	Applied
MUL260036 Port of Cork Company	Site investigations	2.5km	Applied
FS007436 Voyage Offshore Array Ltd.	Foreshore licence application for site investigations	Overlap	Applied
FS007136 ESB Wind Development Ltd.	Foreshore licence application for site investigations	Overlap	Applied
FS006982 Energia	Foreshore licence for site investigations	Overlap	Granted in 2021
FS007318 RWE Renewables	Foreshore licence for site investigations	Overlap	Applied
FS007621 Pearla Offshore Wind Ltd.	Foreshore licence for site investigations	Overlap	Applied

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

- The Climate Action Plan 2025,
- National Marine Planning Framework,
- The National Development Plan 2021–2030,
- South Coast Designated Maritime Area Plan (SC-DMAP),
- The Port of Waterford Masterplan 2020–2040, and
- The Port of Cork Masterplan 2050.

In-Combination Effects Assessment conclusion

The plans identified are not expected to have in-combination effects as, in general, they promote the sustainable development of the maritime area as well as the protection of water quality. The projects listed on Table 5 include other site investigation activities in close proximity to the MUL application area. Mitigation is required as a licence condition to avoid in-combination effects on marine mammals and seabirds as a result of those projects, as set out in Section 3.9.3.

3.9.3 Mitigation measures

Mitigation measures for those impacts identified in Sections 3.9.1 and 3.9.2 are detailed below. These mitigation measures are to be included in any licence granted.

Underwater noise - Marine Mammals

- (i) The Holder shall appoint a marine mammal observer(s) for the purposes of overseeing the geophysical surveys and the borehole drilling surveys. 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, and within 30 days of the completion of each stage of site investigation requiring a Marine Mammal Observer, 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 and each stage of site investigation requiring a Marine Mammal Observer unless otherwise agreed with the Grantor.

The ramp-up procedure which forms part of the national guidance will also mitigate against impacts of underwater noise on diving seabirds.

Seabirds - Above and below water noise and visual disturbance

Where the Holder observes significant clusters of birds, actively fishing and/or diving, within 500m of the survey vessel, in carrying out the Permitted Maritime Usage, the survey route shall be altered to maintain a 500m buffer from the birds. Appropriate records must be retained by the Holder.

Mitigation for In-combination effects on marine mammals and seabirds

- (i) Prior to the commencement of the Permitted Maritime Usage, the Holder shall coordinate with other authorisation holders carrying out geophysical, seismic, airgun and borehole drilling surveys within a 10 km radius of the Licensed Area.
- (ii) Where a vessel-to-vessel distance of greater than 10 km cannot be maintained with respect to airgun surveys, or greater than 6 km for the other geophysical surveys and borehole drilling, the Holder shall co-ordinate 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 10km or 6 km (as required), 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.

In order to minimise the level and intensity of survey activities the Holder of the licence if granted should consider the use of existing data where feasible to do so. It is recommended that any licence granted should include the following condition:

The Holder shall consider any publicly available survey data, and usage of same where appropriate and feasible to do so, in order to avoid duplication of survey activity in the Licensed Area.

3.9.4 Residual effects

This assessment has identified likely/potential significant impacts on European Sites and their conservation interests in Section 3.9.1 and recommends mitigation measures as conditions in any licence granted. 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.

3.9.5 Assessment of Transboundary effects

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

3.9.6 Appropriate assessment conclusion

The AA screening process identified likely/potential significant impacts due to underwater noise and above water noise and visual impacts. Likely significant impacts from the proposed activities could not be ruled out, beyond reasonable scientific doubt, without mitigation. The potential for in-combination effects from the proposed activities 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 3.9.3 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. It should be noted that the SC-DMAP was prepared using an ecosystem-based approach in the identification of the most appropriate maritime areas for future ORE projects, having regard to other users and maritime activities such as commercial fisheries as well as environment and biodiversity. Commercial fisheries (vessels >12 m) operating in the MUL application area includes whitefish trawling, for species including cod, monkfish, haddock, hake, lemon sole, pollack, rays and whiting. Pelagic trawling for herring and sprat and scallop dredging also occur. Based on BIM's 2025 participatory mapping report the main fisheries, for vessels <12 m, in Maritime Areas B, C and D are brown crab (pot fishing), demersal trawling (haddock, monkfish, Nephrops, plaice) and to a lesser extent gill netting (black pollack, hake, plaice, pollack, turbot)¹⁰.

In order to minimise disruption to fisheries, a condition is recommended in any licence granted requiring the appointment of a Fisheries Liaison Officer (FLO) to consult with the Sea Fisheries Protection Authority and relevant fishers' groups. The survey activities may impact on other commercial vessels or recreational users. A condition is recommended to be included in the licence, if granted, regarding the publication of a marine notice to notify other users in advance of the activities and ensuring that all vessels used conform to Irish Certification Standards as required by the Marine Survey Office. A condition is also recommended requiring consultation with the relevant port companies and harbour masters along the south coast in advance of the commencement of the activities. The holder of the licence, if granted will be required to submit the final bathymetric data to the United Kingdom Hydrographic Office (UKHO) and to the Marine Institute's INFOMAR Programme, so that the appropriate navigational charts can be updated.

5. Site visit

No site visit was undertaken due to the offshore location of the application.

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. Eight 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.

¹⁰ Data from [BIM's 2025 participatory mapping project](#).

1. Observations summary – Commissioner of Irish Lights (CIL)

A submission was received on 22/05/2026 from the CIL, as follows:

- The application refers to the deployment of metocean buoys. Prior to the deployment of any marine aids to navigation, a statutory consent will be required from Irish Lights under the Merchant Shipping Act.
- The Appropriate Assessment conducted as part of the MUL licensing process should include the impact of the deployment of surface marking buoys and associated moorings, which may be required as part of the project.

MARA Response:

MARA notes the observations of CIL. The onus is on the applicant to ensure that all the required statutory consents are in place prior to the commencement of the activities. A condition is included in every MUL, as standard, stating that the MUL does not negate the Holder's statutory obligations or requirements under any other Law. All aspects of the proposed application within the remit of MARA have been considered as part of the AA.

2. Observations summary – Marine Survey Office (MSO)

Observations were received on 30/04/2026 from the MSO, which states they have no objection to the proposed maritime usage from a navigational safety perspective.

The recommendation of the MSO are as follows:

- As there are established shipping lanes in the area and the survey vessels should navigate with extreme caution and in compliance with their responsibilities under the International Regulations for the Prevention of Collisions at Sea. Extreme caution is needed near the Great Saltee Islands west of the Tuskar Rock.
- All precautions should be taken to ensure no interference or damage to submarine cables.
- The licensee should engage with the Port of Cork Company regarding surveys in the approaches to and within port limits.
- A marine notice should be published in consultation with the Department of Transport, Marine Survey Office and CIL.
- Navtex and radio broadcast warnings shall be agreed with the Irish Coast Guard
- The licensee should ensure safety of navigation is maintained during the surveys and that hazards are easily identifiable. Lighting and marking of moored buoys should be carried out in consultation with CIL.
- All vessels used must conform to Irish Certification Standards, in consultation with the MSO.
- The MSO must approve the use of autonomous surface ships if being used

- The United Kingdom Hydrographic Office (UKHO) should be informed of activities that may impact on safety of navigation, and all bathymetry data should be submitted to INFOMAR and the UKHO.

MARA response:

MARA notes the observations of the MSO. The conditions recommended to be included in any proposed licence address these observations and recommendations. For example conditions are recommended in relation to the requirement for vessels to conform to Irish Certification Standards, consultation with the Port of Cork Company, publication of a marine notice in consultation with the MSO, not interfering with or damaging third party property, With regard to collisions at sea, statutory consents from CIL and the use of autonomous surface vehicles, the MUL, if granted, does not negate the Holder's statutory obligations under any other law.

3. Observations summary – Development Applications Unit, Department of Housing, Local Government and Heritage (DHLGH)

The National Monuments Service (NMS) of DHLGH submitted observations on the application on 27/05/2026.

The NMS recommended a number of conditions to be attached to the MUL to ensure the protection of underwater cultural heritage, including:

- The applicant should appoint an experienced underwater archaeologist to advise on all aspects of the project.
- the applicant should obtain all statutory authorisations required for archaeological surveys under the National Monuments Acts 1930–2014 such as a licence for geophysical surveys, dive surveys and a detection device consent.
- geophysical surveys should be undertaken in advance of the geotechnical surveys to ensure all potential impacts on underwater cultural heritage are avoided.
- the applicant should submit an Underwater Archaeological Impact Assessment (UAIA) to the NMS for review and approval at least four weeks prior to the geotechnical works taking place. The contents to be included in the UAIA were detailed. A final archaeological report should also be provided to the NMS.
- The protocol for archaeological discoveries should be agreed with the NMS.

The NMS noted that there are protected wrecks in the MUL application area, available to view on the NMS wreck viewer. They state that wrecks over 100 years old are protected under the National Monuments Acts. Additionally, they state that there are Recorded Monuments, also protected under the National Monuments Acts, proximal to the MUL application area and highlight that all archaeological objects, irrespective of age, and

wrecks less than 100 years old can be protected under that Act. Diving, surveying or removal of anything from wrecks over 100 years old must only be carried out with a licence under the Act. The NMPF states that the ‘protection of archaeological heritage is recognised as a core component to achieving sustainable development’ and proposals should consider the potential impacts on heritage assets at the earliest stage of development.

Marine Advisor Response:

The observations submitted by the NMS are noted. The NMS observations included requirements for intertidal surveys, however activities in the intertidal area are not proposed by the applicant. A number of conditions have been recommended to be included in any licence granted in relation to the protection of underwater cultural heritage. The Holder must consult with the NMS prior to the commencement of the activities and comply with all of their requirements. A condition included in MULs issued as standard makes it clear that the MUL does not negate the Holders statutory obligations under any other Law. A condition has been recommended to ensure surveys are planned so that geophysical surveys are undertaken in advance of geotechnical surveys, so that potential effects on underwater cultural heritage are avoided.

4. Observations summary – Geological Survey of Ireland (GSI)

Observations were received on 13/05/2026 from the GSI which recommended the use of numerous GSI datasets when conducting EIAR, SEA, planning and scoping processes for developments, plans and policies. The GSI also noted the availability of INFOMAR data such as bathymetry, backscatter, sediment classification, shipwrecks and survey metadata which can be downloaded free of charge. The GSI also noted that data from the ObSERVE Programme is available with information on aerial and acoustic surveys on marine megafauna, including cetaceans, seabirds and other protected species.

MARA response:

MARA notes the observations of the GSI and the availability of datasets. It is noted that the applicant has made use of the ObSERVE Programme data in compiling the Annex IV Risk Assessment.

5. Observations summary – Inland Fisheries Ireland (IFI)

Observations were received from IFI on 22/04/2026. IFI note that there is no mention of diadromous fish or marine recreational species in the application supporting documents. Fish, including salmon and twaite shad, are sensitive to particle motion which is integral to fish hearing. Mitigation should aim to reduce the sound generated, in intensity and duration. The IFI states that the use of ramp up and soft start procedures should be a condition of any

licence granted and soft-start and ramp up should occur on a day-to-day basis as well as after any stoppages. They also state there is a paucity of information regarding habitat use of diadromous fish in coastal waters, and the proposed ecological surveys should include diadromous fish, elasmobranchs and recreational fish and their required habitat. Environmental DNA, telemetry surveys and metacarding techniques are also recommended to fill the knowledge gaps.

MARA response:

MARA notes the observations of IFI. The applicant included an assessment of underwater noise on diadromous fish in the SISAA. Modelling was undertaken to assess the potential impact on herring, which they note is representative of diadromous fish including Twaite shad and Atlantic salmon (all species with a swim bladder).

In relation to mitigation measures, a condition is recommended to be included in the licence regarding adherence to national guidance on underwater noise and marine mammals, which includes soft start and ramp-up procedures, which must also be undertaken following any stoppages. In order to reduce the sound generated, in intensity and duration a condition has also been recommended to use the sparker system in preference to the airgun when carrying out sub-surface geology data collection. The Holder must also consider use of existing survey data in order to avoid duplication of survey effort. The application includes water sampling and habitat assessment but does not include the specific fish surveys recommended by the IFI and are therefore not in MARA's remit to assess in this application.

- 6. Observations summary – Department of Agriculture, Food and the Marine (DAFM)**
- 7. Observations summary –Marine Institute (MI)**
- 8. Observations summary – Bord Iascaigh Mhara**

Observations were received from the Marine Divisions of DAFM on 22/05/2026 with a summary of observations that they received from the Marine Institute (MI) and Bord Iascaigh Mhara (BIM). Observations were separately submitted by both the MI on 24/04/2026 and BIM on 08/05/2026.

The main points are summarised as follows:

DAFM stated that:

- The fisheries and aquaculture sectors must be given high priority as the proposed surveys are being evaluated. The importance of primary and secondary food production is reflected in the Government's Food Vision 2030 policy and the importance of the seafood sector to coastal communities is highlighted in BIM's Business of Seafood 2024 report.

- The displacement of the inshore fleet is a concern, and potential impacts include increased steaming times to fishing grounds, restrictions on key fishing grounds, heightened fishing pressure on adjacent shellfish resources, gear conflicts and economic effects on operators.
- The applicant's proposals to manage surveys to reduce disruption, advance notification to mariners and the appointment of a Fisheries Liaison Officer are welcomed.
- The evaluation of potential impacts on commercial fisheries needs to be given consideration within the context of the MAP Act and the NMPF.

BIM stated that:

- There are licensed oyster farms in Ballymacoda Bay, adjacent to the MUL application area and BIM should be notified in the event of any oil or chemical spill during the works. Any seismic surveys should be undertaken at low water as this is when oysters are exposed to air.
- Inshore fishing of vessels <12 m has been mapped within BIM's 2025 Participatory Mapping Study and shows lobster, crab and shrimp pot fishing, some whelk fishing and net/trawl, line and some dredge fisheries in the inshore areas of Wexford and Waterford.
- There is a concern regarding the 'displacement' impact of fishing activities moving to the coastal inshore region inside of the MUL application area which occurred during previous SC-DMAP surveys. Fishers both directly and indirectly impacted by the surveys need to be consulted with.
- Every effort should be made to co-ordinate and minimise disturbance to fisheries
- Before during and after catch rate data on key commercial fish species should be included

MI stated that:

- the degree of potential impact to fisheries relates to timing of surveys and equipment used.
- geotechnical surveys (CPT and boreholes) have potential negative effects on crab and lobster
- the use of a sparker instead of an airgun is recommended where feasible along with the use of bubble curtains as mitigation
- the potential impacts would be spatially and temporally discrete with limited potential for long term impact
- engagement with the Seafood/ORE working group by DCEE is required to ensure engagement with the fishing industry
- the survey operations should not substantially interfere with fishing activities and notices to mariners are required

- the MUL area is coincidental with herring and whiting spawning and nursery grounds, cod and mackerel nursery grounds, haddock spawning grounds, horse mackerel nursery grounds.

MARA response:

DAFM and BIM:

MARA notes the observations submitted by DAFM and BIM and has had regard to the fisheries data provided during the assessment process. Section 3.6 MSFD considers impacts on oyster aquaculture. It is not part of the proposed activity to carry out seismic activities in proximity to the highlighted aquaculture site. Additionally with regard to licensed aquaculture sites, the proposed activities are not expected to have impacts on water quality. However, MULs contain a standard condition requiring the Holder to notify the Sea Fisheries Protection Authority as soon as possible should there be a non-compliance with the potential to impact on water quality. As noted in the observations submitted, there will be overlap with commercial fisheries in the MUL application area, however the proposed activities will be short term and temporary in nature. With regard to potential disruption to fisheries, it is recommended that the Holder has a Fisheries Liaison Officer in place prior to the commencement of the activities, to engage with the Sea Fisheries Protection Authority and with the fishing industry. The DCEE website provides guidance on Seafood and ORE engagement and co-existence. In addition, the publication of a marine notice is also recommended as a licence condition as well as consultation with relevant port authorities and harbour masters along the south coast.

MI:

MARA notes the observations of the MI. With regard to the impacts of geotechnical activities on brown crab and lobster, it is noted that the geotechnical activities will mainly occur in Maritime Areas B, C and D in the SC-DMAP. There is no record of lobster being fished in these areas from BIM's 2025 Participatory Mapping Report, however brown crab is recorded to be fished in Areas B and C. There is potential for disruption to this fishery from the proposed activities and as noted, the appointment of an FLO is recommended to be included as a licence condition to minimise disruption. The applicant states that they will manage potential disruption through fisheries liaison, stakeholder engagement and timing of the activities. In addition, soft-start procedures will be implemented for geophysical and geotechnical surveys as part of marine mammal mitigation, which will reduce the risk of acoustic disturbance to fish and shellfish.

7. Public consultation

Public consultation was undertaken from 22/06/2026 to 24/07/2026 under Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 and under section 117(6)(b) of the MAP Act. No submissions from members of the public were made during this time period.

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 the Department of Climate, Energy and the Environment 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 recommended conditions in the Proposed Licence.

Signed:	
Prepared by:	Dr. Alison McCarthy and Dr Ciar O'Toole Senior Marine Advisors
Date:	24/07/2026

9. Approval and AA Determination

Having considered this report, the documents submitted by the Department of Climate, Energy and the Environment, the observations received on foot of the 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 by the Department of Climate, Energy and the Environment 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 (MUL260021)*, within the South Coast Designated Maritime Area Plan, from the nearshore out to the 75 m depth contour stretching from approximately 37 km southeast of Carnsore Point off the Wexford coast, west to Oysterhaven, County Cork, 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 3.9 – Appropriate Assessment, which must be incorporated into any consent that may be granted in respect of the maritime usage licence application.

Signed:	
Approved and determined by:	John Evans Director of Maritime Usage Licensing
Date:	27/07/2026

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	Approx. distance from MUL application area (km)	List of Qualifying Interests (for SACs)	Potential source of impact	Site-specific conservation objectives
SACs				
Hook Head SAC [000764]	0 (i.e. directly adjacent to SAC)	<i>Tursiops truncatus</i> (Common Bottlenose Dolphin) [1349] <i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Potential for underwater noise disturbance or harm from survey activities.	NPWS (2025) Conservation Objectives: Hook Head SAC 000764. Version 2. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Saltee Islands SAC [000707]	15	<i>Halichoerus grypus</i> (Grey Seal) [1364]	Potential for underwater noise disturbance, or harm from survey activities.	NPWS (2011) Conservation Objectives: Saltee Islands SAC 000707 and Saltee Islands SPA 004002. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Carnsore Point SAC [002269]	20	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Potential for underwater noise disturbance, or harm from survey activities.	NPWS (2024) Conservation Objectives: Carnsore Point SAC 002269. Version 2. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Blackwater Bank SAC [002953]	32	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Potential for underwater noise disturbance, or harm from survey activities.	NPWS (2024) Conservation Objectives: Blackwater Bank SAC 002953. Version 3. National Parks and Wildlife Service,

				Department of Housing, Local Government and Heritage.
Roaringwater Bay and Islands SAC [000101]	72	<i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	Potential for underwater noise disturbance, or harm from survey activities.	NPWS (2011) Conservation Objectives: Roaringwater Bay and Islands SAC 000101. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
SPAs				
Seas off Wexford cSPA [004237]	0 (i.e. directly adjacent to SAC)	<i>Red-throated Diver (Gavia stellata)</i> [A001] <i>Fulmar (Fulmarus glacialis)</i> [A009] <i>Manx Shearwater (Puffinus puffinus)</i> [A013] <i>Gannet (Morus bassanus)</i> [A016] <i>Cormorant (Phalacrocorax carbo)</i> [A017] <i>Shag (Phalacrocorax aristotelis)</i> [A018] <i>Common Scoter (Melanitta nigra)</i> [A065] <i>Mediterranean Gull (Larus melanocephalus)</i> [A176] <i>Black-headed Gull (Chroicocephalus ridibundus)</i> [A179] <i>Lesser Black-backed Gull (Larus fuscus)</i> [A183] <i>Herring Gull (Larus argentatus)</i> [A184] <i>Kittiwake (Rissa tridactyla)</i> [A188] <i>Sandwich Tern (Sterna sandvicensis)</i> [A191] <i>Roseate Tern (Sterna dougallii)</i> [A192] <i>Common Tern (Sterna hirundo)</i> [A193] <i>Arctic Tern (Sterna paradisaea)</i> [A194] <i>Little Tern (Sterna albifrons)</i> [A195] <i>Guillemot (Uria aalge)</i> [A199] <i>Razorbill (Alca torda)</i> [A200] <i>Puffin (Fratercula arctica)</i> [A204]	Disturbance and displacement from above or below water noise and vessel activity from survey activities.	NPWS (2024) Conservation Objectives: Seas off Wexford SPA 004237. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

Sovereign Islands SPA [004124]	1	Cormorant (<i>Phalacrocorax carbo</i>) [A017]	Disturbance and displacement from above or below water noise and vessel activity from survey activities.	NPWS (2025) Conservation Objectives: Sovereign Islands SPA 004124. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Cork Harbour SPA [004030]	1.2	Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] Common Tern (<i>Sterna hirundo</i>) [A193]	Disturbance and displacement from above or below water noise and vessel activity from survey activities.	NPWS (2014) Conservation Objectives: Cork Harbour SPA 004030. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Ballycotton Bay SPA [004022]	1.4	Common Gull (<i>Larus canus</i>) [A182] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]	Disturbance and displacement from above or below water noise and vessel activity from survey activities.	NPWS (2014) Conservation Objectives: Ballycotton Bay SPA 004022. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Ballymacoda Bay SPA [004023]	2.5	Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]	Disturbance and displacement from above or below water noise and vessel activity from survey activities.	NPWS (2015) Conservation Objectives: Ballymacoda Bay SPA 004023. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
Mid-Waterford Coast SPA [004193]	7.7	Herring Gull (<i>Larus argentatus</i>) [A184] Cormorant (<i>Phalacrocorax carbo</i>) [A017]	Disturbance and displacement from above or below water noise and vessel activity from survey activities.	NPWS (2024) Conservation Objectives: Mid-Waterford Coast SPA 004193. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Helvick Head to Ballyquin SPA [004192]	6.8	Herring Gull (<i>Larus argentatus</i>) [A184] Kittiwake (<i>Rissa tridactyla</i>) [A188] Cormorant (<i>Phalacrocorax carbo</i>) [A017]	Disturbance and displacement from above or below water noise and vessel activity from survey activities.	NPWS (2025) Conservation objectives: Helvick Head to Ballyquin SPA [004192]. Version 1. Department of Housing, Local Government and Heritage.

Old Head of Kinsale SPA [004021]	10	Kittiwake (<i>Rissa tridactyla</i>) [A188] Guillemot (<i>Uria aalge</i>) [A199]	Disturbance and displacement from above or below water noise and vessel activity from survey activities.	NPWS (2025) Conservation Objectives: Old Head of Kinsale SPA 004021. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Saltee Islands SPA [0040002]	25	Fulmar (<i>Fulmarus glacialis</i>) [A009] Gannet (<i>Morus bassanus</i>) [A016] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] Kittiwake (<i>Rissa tridactyla</i>) [A188] Guillemot (<i>Uria aalge</i>) [A199] Razorbill (<i>Alca torda</i>) [A200] Puffin (<i>Fratercula arctica</i>) [A204] Herring Gull (<i>Larus argentatus</i>) [A184]	Disturbance and displacement from above or below water noise and vessel activity from survey activities.	NPWS (2011) Conservation Objectives: Saltee Islands SAC 000707 and Saltee Islands SPA 004002. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.