

# Attachment 4.1

Consistency of the proposed Maritime Usage with the objectives of the National Marine Planning Framework

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# 1 National Marine Planning Framework

The National Marine Planning Framework (NMPF), published in 2021, sets out Ireland’s overarching framework for the sustainable and informed development of the maritime area. The NMPF, which applies to a maritime area of approximately 495,000 km<sup>2</sup>, outlines a vision for the future development of Ireland’s marine planning system up to 2040.

Within this report the proposed Site Investigation (SI) works have been assessed against the NMPF’s relevant policies. **Table 1-1** demonstrates how the SI works are compliant with, and in several cases actively support, the achievement of relevant NMPF policy objectives. The proposed Maritime Usage for SI works will support the Limerick City and Environs Flood Relief Scheme in its aim to alleviate coastal and fluvial flooding in Limerick City and surrounding areas. Therefore, this MUL represents a critical step towards supporting future climate resilience within the community of Limerick.

The proposed SI works will result in minimal to no negative impacts on the NMPF policies and sub-objectives. Given the temporary duration of works and mitigation in place the proposed Maritime Usage therefore aligns with relevant NMPF policy objectives and the long-term objectives for the Shannon Estuary.

**Table 1-1: List of relevant NMPF policies and sub-objectives and evidence of consistency**

NMPF Policy	Relevant Sub-Objective	Consistency with Limerick FRS
<b>High Level Objective: Environmental – Ocean Health</b>		
Biodiversity Policy 1	Avoid, minimise, or mitigate significant adverse impacts on species adaptation or migration, or on natural native habitat connectivity.	SI works for this MUL will not significantly impact species migration or habitat connectivity as works are temporary and relevant mitigation will be put in place to avoid significant adverse impacts.
Biodiversity Policy 2	Avoid significant reduction in the distribution and net extent of important habitats and other habitats that important species depend on, including avoidance of activity that may result in disturbance or displacement of habitats.	The SI works for this MUL application will have minimal impacts on the distribution of important habitats and reliant species as SI works are temporary. Please see Supporting Information for Screening for Appropriate Assessment (Report ref: MCW1078-RPS-05-ZZ-RP-Z-0101) for further information on impacts to habitats and reliant species.
Biodiversity Policy 4	Avoid, minimise, or mitigate significant disturbance to, or displacement of, highly mobile species.	<p>Disturbance to migratory species (e.g. salmon, lamprey or marine mammals) will be mitigated through the following mitigation measures proposed in the NIS:</p> <ul style="list-style-type: none"> <li>• Consultation with IFI will be undertaken to obtain up-to-date information on the locations of juvenile lamprey habitats within the MUL Area, and in the event of any overlap with intrusive sampling (environmental grab or geotechnical locations), these survey locations will be moved to avoid interaction with the habitats.</li> <li>• All environmental grab samples will be inspected for lamprey ammocoetes, and where found, these will be gently returned to the estuary at a suitable site, as identified by a suitably experienced fisheries specialist.</li> </ul> <p>The proposed SI works will not overlap key spawning habitats for lamprey species or Atlantic salmon.</p>

NMPF Policy	Relevant Sub-Objective	Consistency with Limerick FRS
Protected Marine Sites Policy 1	Demonstrate that activities can be implemented without adverse effects on the integrity of Special Areas of Conservation (SACs) or Special Protection Areas (SPAs).	<p>While there will be localised disturbance of sediments during intrusive sampling, this will be of a temporary nature and spatially limited, with sediments settling locally and rapidly. Therefore, there will be no decline in out-migrating smolt abundance.</p> <ul style="list-style-type: none"> <li>Standard risk avoidance and/or risk reduction measures will be in place on geophysical and geotechnical survey vessels (including JUB), as required under <i>Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters</i> (DAHG, 2014). These measures will comprise visual observation during daylight hours and the use of soft start procedures, where appropriate.</li> </ul>
Protected Marine Sites Policy 2	<p>Proposals supporting the objectives of protected marine sites should be supported and:</p> <ul style="list-style-type: none"> <li>be informed by appropriate guidance</li> <li>must demonstrate that they are in accordance with legal requirements, including statutory advice provided by authorities relevant to protected marine sites</li> </ul>	This MUL Application was drafted having reference to the Maritime Area Planning Act (2021) and the Habitats and Birds Directive. Therefore, utilising appropriate guidance and abiding by legal and statutory requirements.

NMPF Policy	Relevant Sub-Objective	Consistency with Limerick FRS
Protected Marine Sites Policy 4	Avoid, minimise, or mitigate significant impacts on features that may be required to develop and further establish the network, or if it is not possible to mitigate significant impacts, proposals should set out the reasons for proceeding.	The proposed SI works will not have adverse effects on features of SAC/SPAs once mitigation measures are applied, as assessed in the accompanying SISAA and NIS reports.
Non-indigenous Species Policy 1	Proposals must demonstrate a risk management approach to prevent the introduction of and / or spread of non-indigenous species.	Invasive species have been recorded within the MUL Area, however with the application of mitigation measures and industry best practice the proposed SI works will not contribute to the spread of non-indigenous species
Water Quality Policy 1	Avoid, minimise, or mitigate significant adverse impacts on water quality, including upon habitats and species beneficial to water quality.	The proposed SI works have the potential to contribute to water quality impacts on species/habitats through suspension of sediment, however, sediment samples will be limited in extent and taken in a sequential order, meaning that they will not all be sampled at the same time, allowing sediment to settle between locations. Relative to background levels within the turbid nature of the estuary, this will not exceed background levels already present therefore adverse impacts on water quality is not anticipated.
Sea-floor and Water Column Integrity Policy 1	Avoid, minimise, or mitigate significant adverse impacts on marine habitats, or if it is not possible to mitigate significant adverse impacts on marine habitats must set out the reasons for proceeding.	The proposed SI works will not have adverse effects on seabed habitats, as outlined in the accompanying documents.
Sea-floor and Water Column Integrity Policy 2	Avoid, minimise, or mitigate adverse impacts on important habitats and species.	The proposed SI works will not have adverse effects on seabed habitats, as outlined in the accompanying documents

NMPF Policy	Relevant Sub-Objective	Consistency with Limerick FRS
Underwater Noise Policy 1	Take account of spatial distribution, temporal extent, and levels of impulsive and / or continuous sound (underwater noise) that may be generated and the potential for significant adverse impacts on marine fauna.	An UWN Technical Assessment will be conducted as part of this MUL application which includes relevant mitigation measures (Report ref: MCW1078-RPS-05-ZZ-RP-Z-0104).
<b>High Level Objective: Social – Engagement with the Sea</b>		
Heritage Assets Policy 1	Avoid, minimise, or mitigate harm to the significance of heritage assets, and if it is not possible, to mitigate harm, then the public benefits for proceeding with the proposal must outweigh the harm to the significance of the heritage assets.	A geophysical survey will be conducted as part of the SI works which will identify archaeological heritage assets (if any). Geotechnical sampling locations will avoid any potential archaeological areas. These details will be recorded and will form part of the Cultural Heritage assessment as part of the wider Flood Relief Scheme.
<b>Key Sectoral / Activity Policies: Aquaculture</b>		
Aquaculture Policy 2	Avoid; minimise; mitigate significant adverse impacts on aquaculture. If it is not possible to mitigate significant adverse impacts upon aquaculture, proposals should set out the reasons for proceeding.	The nearest aquaculture site to the proposed SI works is located approximately 20 km downstream. Given the turbid nature of the estuary and the ebb and flow of the tides it is likely any suspended sediment within the water column will dissipate quick rapidly and will not be stronger than baseline levels. Therefore, no adverse impacts will occur to aquaculture sites due to the proposed SI works.
<b>Key Sectoral / Activity Policies: Fisheries</b>		
Fisheries Policy 5	Avoid, minimise, mitigate significant adverse impact on essential fish habitat, including spawning, nursery and feeding grounds, and migration routes.	Disturbance to fish habitat (lamprey nursery areas) will be mitigated through the following mitigation measures proposed in the NIS: <ul style="list-style-type: none"> <li>• Consultation with IFI will be undertaken to obtain up-to-date information on the locations of juvenile lamprey habitats</li> </ul>

NMPF Policy	Relevant Sub-Objective	Consistency with Limerick FRS
		<p>within the MUL Area, and in the event of any overlap with intrusive sampling (environmental grab or geotechnical locations), these survey locations will be moved to avoid interaction with the habitats.</p> <ul style="list-style-type: none"> <li>All environmental grab samples will be inspected for lamprey ammocoetes, and where found, these will be gently returned to the estuary at a suitable site, as identified by a suitably experienced fisheries specialist.</li> </ul> <p>The proposed SI works will not overlap key spawning habitats for lamprey species or Atlantic salmon.</p> <p>While there will be localised disturbance of sediments during intrusive sampling, this will be of a temporary nature and spatially limited, with sediments settling locally and rapidly. Therefore, there will be no decline in out-migrating smolt.</p>
<b>Key Sectoral / Activity Policies: Ports, Harbours and Shipping</b>		
Ports, Harbours and Shipping Policy 4	Applicants must continue to engage parties identified in pre-application processes as appropriate during the decision-making process	Liaise with port officials to inform of schedule and scope of SI works ensuring no overlap which has the potential to cause cumulative effects or interfere with day-to-day operation of Shannon Foynes Port at Limerick.
<b>Key Sectoral / Activity Policies: Safety at Sea</b>		
Safety at Sea Policy 3	All proposals for temporary or permanent fixed infrastructure in the maritime area must ensure navigational marking in accordance with appropriate international standards and ensure inclusion in relevant charts where applicable.	The SI works will include up to one vessel operating within the estuary and either a jack-up barge (JUB) or spud barge. A marine notice will be issued in advance of the works to notify other mariners of any temporary structures within the estuary to ensure navigational safety.