

Attachment 4.5

Consistency of the proposed Maritime Usage with
the objectives of the Water Framework Directive

MCW1078-RPS-05-ZZ-RP-Z-0100
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A1 C01
05 May 2026

1 Compliance with Objectives of the Water Framework Directive

This note on WFD compliance describes and assesses the potential impacts and effects of the proposed works on water aspects (water quality and hydrology) of the receiving environment.

The European Parliament and Council Directive 2000/60/EC, establishing a Framework for Community Action in the Field of Water Policy, 2000, known as the Water Framework Directive (WFD), has been the main law for water protection in Europe. It applies to inland, transitional, and coastal waters as well as groundwaters.

An objective of the WFD is to achieve the protection of aquatic ecology and habitats, drinking resources and bathing waters through river basin management planning and monitoring. This objective is summarised as Good Ecological Status (GES) and Good Ecological Potential (GEP) for artificial or heavily modified water bodies.

In addition to achieving good ecological and chemical status, a water body must achieve compliance with standards and objectives specified for protected areas, which include areas designated by the Bathing Water Directive; the Urban Waste Water Treatment Directive; the Shellfish Waters Directive; the Habitats Directive and the Birds Directive. Water bodies that are compliant with WFD standards, but that contain protected areas that are non-compliant with protected area standards are downgraded to 'less than good' status.

The MUL Area lies within the Limerick Dock (IE_SH_060_0900) and Upper Shannon Estuary (IE_SH_060_0800) Transitional waterbodies. **Table 1-1** shows a list of key waterbodies in the area as well as their codes, type and distance from the proposed works.

Table 1-1: Waterbodies which overlap or are hydrologically connected to the proposed SI works

Waterbody Name	Waterbody Code	Waterbody Type	Distance from SI works
Upper Shannon Estuary	IE_SH_060_0800	Transitional	SI works within waterbody
Limerick Dock	IE_SH_060_0900	Transitional	SI works within waterbody
Maigne Estuary	IE_SH_060_0700	Transitional	SI works outside of waterbody
Lower Shannon Estuary	IE_SH_060_0300	Transitional	SI works outside of waterbody

Waterbody Name	Waterbody Code	Waterbody Type	Distance from SI works
Fergus Estuary	IE_SH_060_1100	Transitional	SI works outside of waterbody
Mouth of the Shannon	IE_SH_060_0000	Coastal	SI works outside of waterbody

All the waterbodies listed in the above table are within or hydrologically linked to SAC and SPA designated sites (i.e. River Shannon and River Fergus Estuaries SPA and Lower River Shannon SAC). There are no nearby bathing waters that may be impacted by SI. The closest bathing water area is Cappagh Pier, Kilrush, is located approximately 50 km west of the MUL Area, on the northern shore of the Shannon Estuary. Cappagh Pier currently has excellent water quality. While this site is hydrologically linked with the proposed SI works, the distance from the site means that any impacts are extremely unlikely.

Table 1-2: Shows the overall WFD status of the relevant waterbodies from 2013-2024

Waterbody	Overall WFD status			
	2010-2015	2013-2018	2016-2021	2019-2024
Limerick Dock	Moderate	Good	Poor	Poor
Upper Shannon Estuary	Poor	Poor	Poor	Poor
Maigne Estuary	Moderate	Moderate	Moderate	Moderate
Lower Shannon Estuary	Moderate	Good	Good	Good
Fergus Estuary	Moderate	Moderate	Moderate	Moderate

1.1.1 Potential impacts

The drilling of boreholes and removal of sediment from the seabed may introduce small amounts of sediment into the water column. The geographical extent of this impact will be limited to the Marine Usage Licence Area. Currents and tides would ensure that the sediment is quickly dissipated and unlikely to represent a significant elevation above sediment levels normally associated with the ebb and flood tides. It is expected that the significance of impact will be short-term, and negligible in nature in the context of water quality and WFD Status and conditions will likely return to baseline after works are completed. As the overall WFD status of both Limerick Dock and Upper Shannon Estuary waterbodies are noted as Poor above, the SI works will not contribute to any risk of further deterioration in the overall WFD Status.

It is possible that accidental spills from equipment (e.g. jack up barge and work vessels) could impact upon water quality and WFD Status. However, with the implementation of mitigation measures any spills will be treated immediately and be limited in extent. Conditions would likely return to baseline following completion of the works. Therefore, with the inclusion of the below mitigation measures the SI works will not contribute to further reduction in WFD status.

1.1.2 Mitigation measures

- All vessels will comply with international standards according to the MARPOL (maritime pollution) Convention and the Sea Pollution Acts with respect to wastewater and food waste discharges. Hazardous materials, radiation sources or chemicals will be stored, handled, used and documented in accordance with those legal provisions and also the Safety Health and Welfare at Work Act 2005, as amended, and associated regulations, which apply to vessels as places of work, and the Chemicals Act 2008, as amended, and associated regulations, accepted guidelines, and technical standards and requirements.
- An oil pollution emergency plan will be implemented onboard all survey vessels. This plan will specify:
 - Information on the location and detail of spill response resources on board
 - Information on crew training in relation to oil pollution response
 - How crew will interface with other vessel operators, where applicable
- Spill kits will be stored on board all vessels and will also be available where machinery is operating in the intertidal zone. Any fluid leaks or spills will be cleaned up immediately. All machinery or vehicles on the intertidal area will be fuelled on the hard-standing surface of a car park or road and at least 10 m from a drain or gully.