

Maritime Usage Licensing and Planning Advisory Directorate			
Maritime Usage Licence Assessment Report			
To:	John Evans, Director	From:	Dr. Alison McCarthy, Senior Marine Advisor
Date:	29/06/2026	Maritime Usage Licence Application Reference No:	MUL40036MA Material Amendment
MUL Applicant Name:	EirGrid plc		
MUL Applicant Registered Address:	The Oval, 160 Shelbourne Road, Ballsbridge, Dublin, D04 FW28.		
Licence application received:	27/05/2026		
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 south coast of Ireland and within the South Coast Designated Maritime Area Plan		
Environmental Impact Assessment (EIA) Screening	EIA not required (EIA Screening Form dated 23/06/2026)		
Appropriate Assessment (AA) Screening	AA Screening and Determination Report dated 23/06/2026		
Notice requesting Natura Impact Statement (NIS) issued:	Not applicable		
Public body consultation:	28/05/2026 to 27/06/2026	Observations from public bodies received:	Two
Public consultation:	Not applicable		

Contents

1.	Background	3
2.	Location and Description of the Proposed Maritime Usage	3
2.1	Brief description of the site characteristics	5
3.	Assessment	6
3.1	National Marine Planning Framework (NMPF)	6
3.2	Environmental Impact Assessment Directive (2014/52/EU) (EIA Directive)	6
3.3	National Biodiversity Action Plan (NBAP)	6
3.4	Climate Action and Low Carbon Development Act 2015, as amended	6
3.5	Water Framework Directive (2000/60/EC)	6
3.6	Marine Strategy Framework Directive (2008/56/EC)	7
3.7	Annex IV species	9
3.8	Appropriate Assessment Screening	9
4.	Consideration of other maritime users	9
5.	Site visit	9
6.	Public body consultation	10
7.	Recommendation	11

1. Background

EirGrid plc. (the applicant) has applied to the Maritime Area Regulatory Authority (MARA) for a Material Amendment to a Maritime Usage Licence (MUL), ref. MUL240036. The MUL was granted, with conditions, by MARA on 10/07/2025, in accordance with the provisions of the Maritime Area Planning Act 2021 (the MAP Act). The MUL was granted for a Schedule 7(3) maritime usage; *Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000*, and for a duration of 5 years.

The purpose of that application was to inform the engineering design and environmental assessments for two proposed offshore substations (OSS) and potential offshore transmission cable corridors towards seven potential landfall zones in coastal areas in counties Cork, Waterford and Wexford. The site investigation activities are integral to the delivery of offshore renewable energy projects within the South Coast Designated Maritime Area Plan for Offshore Renewable Energy (SC-DMAP)¹ under EirGrid's Powering Up Offshore South Coast project.

EirGrid has now applied to MARA to Materially Amend MUL240036 in respect of one of the specific conditions (Condition 32) of the MUL.

2. Location and Description of the Proposed Maritime Usage

Condition 32 of MUL240036 is as follows:

32. In-combination effects

(i) Prior to the commencement of the Permitted Maritime Usage, the Holder shall coordinate with other authorisation holders carrying out geophysical, seismic and geotechnical activities 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 geophysical, seismic and geotechnical activities, 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 10 km, 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.

¹ [The South Coast Designated Maritime Area Plan for Offshore Renewable Energy \(SC-DMAP\).](#)

The applicant proposes to amend this condition in order to reduce the 10 km specified distance to 6 km. The applicant is not seeking any other amendment to the MUL and has confirmed that there will be no change in the nature or extent of the permitted maritime usage, the survey methodologies or equipment, the location or duration of the activities, or the project description as submitted as part of the original MUL application. The applicant proposes to reduce the specified distance in the in-combination condition to bring it in line with recently updated UK Joint Nature Conservation Committee (JNCC) guidance² on the Effective Deterrence Range³ for Harbour porpoise for the specific surveys they are undertaking.

Table 1 provides a summary of the site investigation activities authorised under MUL240036 and Figure 1 shows the Licensed Area.

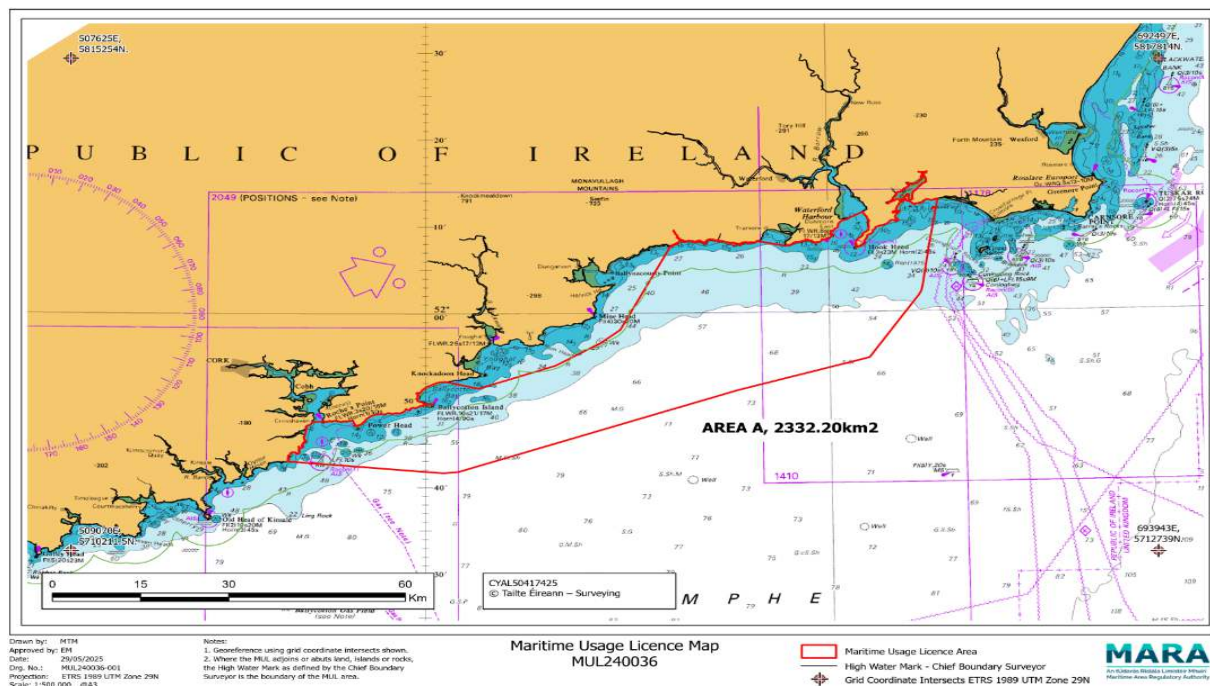
Table 1 Summary of site investigation activities authorised under MUL240036.

Summary of authorised site investigation activities	
Coastal geophysical surveys • Ground penetrating radar and/or seismic refraction • Topographical surveys including Unmanned Aircraft Systems (UAS), Global Positioning Systems (GPS) and Global Navigation Satellite Systems (GNSS) devices	Marine geophysical surveys • Multi Beam Echosounder (MBES) • Sub-bottom profiler (SBP) including Ultra-High Resolution Seismic (UHRS) survey • Side Scan Sonar (SSS) • Magnetometer
Geotechnical surveys • Trial pit investigations • Subtidal grab sampling • Vibrocore testing • Borehole investigations (including downhole Cone Penetration Testing (CPT) • Shallow and Deep Drive CPT	Metocean and marine mammal acoustic device deployment • Metocean buoy • Acoustic Doppler Current Profiler (ADCP) • Marine Mammal Static Acoustic Monitoring (SAM)
Coastal environmental surveys • Ecological walkover surveys (habitats, bat activity and roost assessment, mammal surveys including otter) • Ornithological vantage point surveys	Marine environmental surveys • Drop down video (DDV) and/or Remotely Operated Vehicle (ROV) surveys • Grab sampling

² Updated Effective Deterrent Ranges (EDRs) for assessing the significance of noise disturbance against Conservation Objectives of harbour porpoise Special Areas of Conservation (England, Wales & Northern Ireland) [JNCC, Report 803, 2025](#).

³ the radius of a circular area assumed to be disturbed

• Marine mammal vantage point surveys • Intertidal core sampling (0.01m² core size)	• Ornithological surveys • Marine mammal surveys including passive acoustic monitoring (PAM) • Water sampling
Other surveys: Archaeological surveys – intertidal, dive and wade surveys. Noise surveys. Shipping and navigation survey.	



2.1 Brief description of the site characteristics

The Licensed Area is almost entirely within the SC-DMAP, though the surveys are being undertaken in a much smaller area, covering three potential OSS locations, the potential cable route corridors and the seven potential landfall zones. The water depth range is 0–70 m. From the coast out to the 50 m depth contour, the broad benthic habitat types are described as moderate to high energy circalittoral rock, interspersed with pockets of moderate to high energy circalittoral coarse sediment and sand. Generally, beyond the 50 m depth contour, the broad habitat types are a mosaic of deep circalittoral coarse sediment interspersed with deep circalittoral mud and sand in a moderate to high energy environment. The intertidal areas are generally comprised of sand, cobble and rock.

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. MARA's assessment of the original MUL application noted that proposed site investigation activities were in line with the policies of the NMPF. There is no change to this assessment as a result of the proposed Material Amendment (MA).

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

MARA carried out a screening for EIA of the proposed MA having considered Schedules 5 and 7 of the Planning and Development Regulations 2001. An EIA Screening Form was issued by MARA on 23/06/2026 and it was concluded that the activities do not fall within the scope of the EIA Directive and therefore an EIA is not required.

3.3 National Biodiversity Action Plan (NBAP)

Ireland's 4th National Biodiversity Action Plan sets the national biodiversity agenda for the period 2023–2030. The objectives of the NBAP focus on the conservation and restoration of biodiversity. The proposed MA will not have an impact on the NBAP.

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

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

3.5 Water Framework Directive (2000/60/EC)

The Water Framework Directive (WFD) requires EU member states to protect and improve water quality in all waters to achieve at least good ecological status in inland surface waters, transitional waters, coastal waters and groundwater by 2027, at the latest. The ecological status of coastal waterbodies is based on the assessment of biological quality elements (phytoplankton, benthic invertebrates, macroalgae, angiosperms) as well as supporting chemical (specific pollutants), physico-chemical (e.g. temperature, salinity, nutrients) and hydromorphological quality elements. Parts of the Licensed Area traverse a number of WFD coastal waterbodies, namely: Bannow Bay, Eastern Celtic Sea (HAs 13;17), Waterford

Harbour, Ballycotton Bay, Western Celtic Sea (HAs 18;19;20) and Outer Cork Harbour. The potential impacts on the status of those waterbodies were assessed as part of the original MUL application and mitigation measures were put in place as MUL conditions to avoid impacts. The proposed MA will not impact on the ecological status of any WFD waterbodies.

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 assessment⁴ under Article 8 of the MFSD sets out the status of the 11 qualitative descriptors that describe the state of the marine environment. The potential impacts on MSFD descriptors were assessed as part of the original MUL application and mitigation measures were put in place as licence conditions to avoid impacts. Table 4 sets out the status of the relevant descriptors and assesses the potential impacts of the proposed MA.

Table 4: Assessment of impact of proposed activities on MSFD descriptors

MFSD Descriptor	Good Environmental Status achieved	Assessment
Biological diversity	Partially achieved	The proposed MA will not have any impact on the status of this descriptor. Condition 32 was identified as a mitigation measure as part of the Appropriate Assessment (AA) undertaken by MARA in respect of the original MUL application. The in-combination assessment of the AA noted that there was the potential for spatial and temporal overlap of the site investigation activities with other site investigations. In order to address the potential for in-combination underwater noise disturbance on Harbour porpoise, Bottlenose dolphin, Grey seal and Harbour seal, the condition specifies that the holder must maintain a specified distance away from other surveys vessels undertaking similar surveys, when operating at the same time. The specified distance in the condition was based on the recommended Effective Deterrence Range (EDR) ⁵ for Harbour porpoise in 2020 UK Joint Nature Conservation Committee (JNCC) guidance. That guidance has subsequently been updated in 2025 based on more recent research and for the relevant geophysical surveys, the EDR has reduced

⁴ [Ireland's Marine Strategy Part 1: Article 8, 9 and 10 report 2024.](#)

⁵ the radius of a circular area assumed to be disturbed

		from 5 km to 3 km. Hence a vessel-to-vessel distance of 6 km is appropriate, as proposed by the applicant, based on the most up-to-date scientific evidence. The proposed Material Amendment will not result in any increased underwater noise disturbance or harm or impacts on biodiversity, from the original MUL application.
Non-indigenous species	Yes	The proposed MA will not have any impact on the status of this descriptor.
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. The proposed MA will not have any impact on the status of this descriptor.
Marine food webs	Unclear	The proposed MA will not have any impact on the status of this descriptor.
Eutrophication	Yes	The proposed MA will not have any impact on the status of this descriptor.
Sea-floor integrity	Partially achieved	The proposed MA will not have any impact on the status of this descriptor.
Alteration of hydrographical conditions	Yes	The proposed MA will not have any impact on the status of this descriptor.
Concentrations of contaminants	Yes	The proposed MA will not have any impact on the status of this descriptor.
Contaminants in fish/seafood for human consumption	Yes	The proposed MA will not have any impact on the status of this descriptor.
Marine Litter	No	The proposed MA will not have any impact on the status of this descriptor.
Introduction of energy including underwater noise	Yes	The proposed MA will not have any impact on the status of this descriptor.

3.7 Annex IV species

Articles 12 and 13 of the Habitats Directive (92/43/EC) impose obligations on Member States to establish a system of strict protection for animal and plant species listed on Annex IV of the Directive. The applicant submitted an Annex IV Risk Assessment in support of the proposed Material Amendment. The proposed MA will not result in any increased underwater noise disturbance or harm from the original MUL application. As noted in Section 3.6, the reduction in the vessel-to-vessel distance specified in Condition 32 will not result in any increased underwater noise disturbance to Annex IV marine mammal species. The reduced distance reflects the most up-to-date evidence and guidance on EDRs for Harbour porpoise, which is considered to be a cetacean species with a high sensitivity to underwater noise.

The applicant has confirmed 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 MA.

3.8 Appropriate Assessment Screening

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 23/06/2026 which concluded that the proposed MA will not require Stage 2 AA as it could be excluded, on the basis of objective scientific information, that the proposed project, either individually or in-combination with other plans or projects, will have a significant effect on European sites.

4. 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. The existing MUL has conditions to address impacts on other users including the appointment of a Fisheries Liaison Officer and publication of a Marine Notice prior to the commencement of the activities. The proposed MA will not have any impact on other users, apart from other MUL Holders with whom the applicant must coordinate to ensure the appropriate distance is maintained between survey vessels.

5. Site visit

No site visit was undertaken due the nature of the proposed MA.

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. Two 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 – Department of Agriculture, Food and the Marine (DAFM)
DAFM responded to MARA on 28/05/2026 noting they had no objection to the proposed MA.

MARA Response:

MARA notes the response of DAFM.

2. Observations summary – Geological Survey of Ireland (GSI)
Observations were received on 03/06/2026 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 also 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 the datasets. These datasets were considered by MARA as part of the assessment of the original MUL application.

7. Recommendation

Having considered the information submitted in support of the proposed Material Amendment, and the criteria specified in the Maritime Area Planning Act 2021, as amended, I recommend that the Material Amendment be granted, in accordance with Section 119 of the Maritime Area Planning Act 2021, as amended. It is recommended to replace Condition 32 of the MUL with the following:

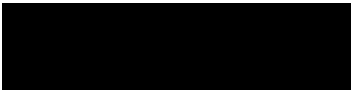
32. In-combination effects

(i) Prior to the commencement of the Permitted Maritime Usage, the Holder shall coordinate with other authorisation holders carrying out geophysical, seismic and geotechnical activities within a 6 km radius of the Licensed Area.

(ii) Where a vessel-to-vessel distance of greater than 6 km cannot be maintained with respect to geophysical, seismic and geotechnical activities, 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 6 km, 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.

Signed:	
Prepared by:	Dr. Alison McCarthy Senior Marine Advisor
Date:	<u>29/06/2026</u>