Maritime Usage Licensing and Planning Advisory Directorate
Maritime Usage Licence Assessment Report

To:	John Evans, Director	**From:**	Dr. Alison McCarthy Senior Marine Advisor
Date:	23/10/2026	**Maritime Usage Licence Application Reference No:**	MUL260055
MUL Applicant Name:	National Roads Authority (operating as Transport Infrastructure Ireland)		
MUL Applicant Registered Address:	Parkgate Business Centre, Parkgate Street, Dublin 8, D08 DK10.		
Licence application received:	31/07/2026		
Types of maritime usage activities in accordance with Schedule 7 of the Maritime Area Planning Act 2021:	*3. Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000.*		
Location of proposed maritime usages:	The River Liffey between the Rosie Hackett Bridge and Butt Bridge.		
Environmental Impact Assessment (EIA) Screening	EIA not required (EIA Screening Form dated 11/09/2026)		
Request for additional information (RAI) issued:	13/08/2026	Response to RAI received	26/08/2026 & 16/10/2026
Appropriate Assessment (AA) Screening	AA Screening and Determination Report dated 11/09/2026		
Notice requesting Natura Impact Statement (NIS) issued:	N/A	**NIS received:**	31/07/2026
Public body consultation:	11/08/2026–10/09/2026	**Observations from public bodies received:**	Eight

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1. Background

The National Roads Authority, operating as Transport Infrastructure Ireland (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 (or site investigations) is required to collect geotechnical data from the subsurface of the bed of the River Liffey, to inform the detailed design of the section of the Dublin MetroLink Project alignment located under the River Liffey. The MUL application area is in the River Liffey between the Rosie Hackett Bridge and Butt Bridge.

An Coimisiún Pleanála granted a Railway Order (case ref. ABP-314714-22) to Transport Infrastructure Ireland (TII) on 12/01/2026 for the Dublin MetroLink Project, pursuant to Section 43 (2)(a) of the Transport (Railway Infrastructure) Act 2001 as amended. The Railway Order authorises TII to carry out railway works and all necessary works to enable the construction, maintenance, improvement and operation of the metro rail line from Estuary through Swords, Dublin Airport, Ballymun, Glasnevin and City Centre to Charlemont, Co. Dublin.

2. Location and Description of the Proposed Maritime Usage

The proposed maritime usage comprises a geotechnical site investigation of the riverbed subsurface. This will entail the drilling of three (3 No.) boreholes (diameter 200 mm) and associated sampling and testing. The boreholes will be drilled to depths of approximately 25–30 m below the riverbed.

The proposed site investigations will be carried out from a floating jack-up barge positioned within the MUL application area. The jack-up barge (with 4 No. spud legs, each 762 mm diameter) will be positioned within the river channel using a crane located on Burgh Quay. Drilling will be undertaken using a dual-purpose roto-sonic drilling rig (Eijkelkamp Fraste CRS XL140/170 Duo) mounted on the jack-up barge. The underwater Sound Pressure Level (SPL) produced is expected to be in the range of 160–180 dB re 1 µPa @ 1 m, with peak levels rarely exceeding 185 dB re 1 µPa @ 1 m. The associated sound exposure levels (SELs) are typically lower, in the region of 145–165 dB re 1 μPa^2.s @ 1 m.

The full programme of works (mobilisation, drilling, core recovery and demobilisation) is predicted to take 10–21 days, subject to favourable weather and site conditions. It is predicted that drilling works will take 7 days to complete and will operate on a 24 hour basis. The proposed MUL duration is 2 years to allow for project constraints including weather or seasonal constraints and traffic management requirements.

2.1 Brief description of the site characteristics

The MUL application area lies within the tidal reaches of the River Liffey. It covers an area of 0.76 ha, with an average water depth of 4–5 m. The riverbed is comprised of mixed estuarine sediments (mud and sand). There are high retaining quay walls either side of the river channel, covered in parts with channelled wrack seaweed *Pelvetia canaliculata*. The application area is within the Liffey Estuary Upper transitional Water Framework Directive waterbody (IE_EA_090_0400).

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 applicant provided a detailed statement of consistency with the NMPF in support of the application. In line with the Ocean Health policies set out in the NMPF, the site investigations will avoid, minimise or mitigate against environmental impacts through project design and via specific mitigation. For example, in relation to Marine Litter (Ocean Health policy 5.5) the licence, if granted, contains a standard condition relating to removal of all plant and equipment associated with the activity following completion and thus there will be no marine litter impacts. A number of environmental and sectoral activity policies detailed in the NMPF are covered in other sections of this report, including, but not limited to, the National Biodiversity Action Plan (NBAP), the Birds and Habitat Directives, the Water Framework Directive (WFD), the Marine Strategy Framework Directive (MSFD) and consideration of other maritime users.

The proposed site investigations, which are in support of the land-based MetroLink Project, are not linked with the Key Sectoral/Activity Policies of the NMPF. However, the NMPF is a parallel document to the National Planning Framework. The proposed site investigations are in support of the National Development Plan 2021–2030 which lists the MetroLink, as a carbon-neutral railway service, as a National Strategic Objective (NSO 4 – Sustainable Mobility).

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 the proposed borehole locations will avoid any features of underwater cultural heritage importance. They state that there are no wrecks recorded in the MUL application area. However, they note that Burgh Quay and a 19th century timber revetment associated with Burgh Quay, are structural features of historic value. The MUL application area overlaps with the quay walls alongside Burgh Quay. The applicant notes that engagement will take place with the National Monuments Service (NMS) prior to the commencement of the site investigations to ensure that their requirements are addressed, including obtaining dive and excavation licences. The applicant will engage an archaeologist and conservation architect for the works, who will comply with archaeological codes of practice.

It is therefore recommended that a condition is included in the licence, if granted, requiring the holder to consult with the NMS prior to the commencement of the activities and to comply with their requirements in relation to underwater cultural heritage. Provided such measures are adhered to, the site investigations are not anticipated to result in significant heritage effects (see also Section 6 - Public body consultation, of this report).

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

MARA carried out a screening for EIA of the proposed site investigations having considered Schedules 5 and 7 of the Planning and Development Regulations 2001. An EIA Screening Form was issued by MARA on 11/09/2026 and it was concluded that the activities do not fall within the scope of the EIA Directive and therefore an EIA is not required.

3.3 National Biodiversity Action Plan (NBAP)

Ireland's 4th National Biodiversity Action Plan sets the national biodiversity agenda for the period 2023–2030. The objectives of the NBAP focus on the conservation and restoration of biodiversity. Objective 2 of the NBAP is to meet urgent conservation and restoration needs. Part of its focus is to elevate efforts to tackle invasive alien species. It is recommended that a condition be included in the licence, if granted, to address the potential risks from invasive alien species as a result of the survey activities. Sections 3.5–3.8 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.

3.4 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.

The proposed site investigations are an essential component supporting the MetroLink Project which supports the long-term shift towards lower-carbon public transport in Ireland. The applicant notes that the site investigations, plant, vessels and equipment proposed to be used will be undertaken for the minimum duration necessary. Considering the short-term nature of the proposed activities, no significant increases in carbon emissions are expected to be produced. The application is in line with the most recent Climate Action Plan (2025) in supporting increased sustainable transport.

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 and transitional waterbodies is based on the assessment of biological quality elements (phytoplankton, benthic invertebrates, macroalgae, angiosperms and fish[1]) as well as supporting chemical (specific pollutants), physico-chemical (e.g. temperature, salinity, nutrients) and hydromorphological quality elements. The MUL application area is within the Liffey Estuary Upper transitional waterbody and is approximately 200 m upstream of the Liffey Estuary Lower waterbody (see Table 1).

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

Waterbody name & code	Waterbody type	Ecological status & risk*	WFD significant pressures
Liffey Estuary Upper (IE_EA_090_0400)	transitional (heavily modified waterbody)	moderate & risk is under review	under review
Liffey Estuary Lower (IE_EA_090_0300)	transitional (heavily modified waterbody)	moderate & at risk*	urban wastewater and nutrients

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

The proposed activities will not significantly affect the hydromorphological conditions or benthic invertebrate status of either waterbody. The footprint of the surveys in the riverbed is relatively small (borehole diameter is 200 mm, jack-up barge has 4 No. spud legs, each 762 mm diameter). The riverbed will return to natural conditions following completion of the drilling, removal of the jack-up barge and after a number of tidal cycles. To ensure that water pollution does not occur as a result of the activities, conditions are recommended in the licence, if granted. These include ensuring that there is an oil pollution emergency response

[1] Fish are a biological quality element of transitional waterbodies.

plan in place onboard survey vessels, ensuring that all vessels comply with Irish Certification Standards and that all efforts are taken to collect and dispose of drill arisings appropriately.

In relation to fish, the River Liffey is home to salmon, river and sea lamprey and European eel, though it is not a designated salmonid water[2]. The applicant states that they will follow best practice guidelines including Inland Fisheries Ireland and the Eastern Regional Fisheries Board guidelines[3]. These guidelines include measures to mitigate against the impact from instream works including minimising the works as much as possible, prevention of leakage of fuels from machinery and undertaking works during May to September, outside of the peak migratory periods. This applicant however proposes to undertake the site investigations on a 24/7 basis and potentially at any time of the year. Given the relatively narrow width of the river in the MUL application area and the potential for migratory fish to be impacted it is recommended that the activities are limited to daylight hours, so that fish can safely migrate at night (see also Section 6 – Public body consultation in relation to comments from Inland Fisheries Ireland). It is recommended to include this as a condition of any licence granted.

Soft-start or ramp-up procedures will also be followed as part of marine mammal monitoring proposed by the applicant (see Section 3.7) and this will reduce disturbance impacts on fish in the area. Considering all of these measures, the status of fish in either waterbody is not expected to be impacted.

Given the recommended conditions as detailed in the Proposed Licence, there is not expected to be a deterioration in the ecological status of any WFD waterbody as a result of the proposed activities.

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. The MUL application area lies outside 'marine waters' as defined in this Directive and thus there will be no impact on GES for any of the qualitative descriptors that describe the status of the marine environment under MSFD. The relevant descriptors including biodiversity, marine litter, seafloor integrity and underwater noise have been assessed in other sections of this report.

[2] S.I. No. 293/1988 - European Communities (Quality of Salmonid Waters) Regulations 1988, 14th August 1988

[3] Inland Fisheries Ireland (2016) Guidelines on Protection of Fisheries During Construction Works in and Adjacent to Waters and Eastern Regional Fisheries Board (2004) Requirements for the Protection of Fisheries Habitat during Construction and Development Works at River Sites.

3.7 Annex IV species

Articles 12 and 13 of the Habitats Directive (92/43/EC) impose obligations on Member States to establish a system of strict protection for animal and plant species listed on Annex IV of the Directive. National guidance on the management of the risk to marine mammals from underwater noise requires a risk assessment of the potential impacts of man-made sound sources. To this end, the applicant submitted an Annex IV Risk Assessment in support of the application. The Annex IV Risk Assessment was revised following a request for additional information from MARA in relation to bats.

The applicant undertook an otter survey as part of their Environmental Impact Assessment Report for the Railway Order application to An Coimisiún Pleanála and no signs of otter (breeding or resting places) were recorded in the MUL application area. However there have been occasional sightings of otter in the River Liffey from upstream and downstream of the MUL application area. Thus, otter could be temporarily disturbed by noise and lighting for example, should they be present in close proximity to the proposed site investigations. However given the short term nature of the proposed site investigations, this is not expected to be significant.

Cetaceans are unlikely to be found in the MUL application area. There are records of Harbour porpoise and Common dolphin in Dublin harbour, >5 km from the MUL application area. There is one record of a Common dolphin approximately 700 m downstream of the area.

In relation to bats, the applicant states that there will be no works to bridges, quay walls, trees or other potential roost structures, or obstruction of roost access points, from the proposed site investigations. The applicant undertook a bat survey in September 2026 involving a Preliminary Roost Assessment of Butt Bridge, Rosie Hackett Bridge and adjacent structures, an emergence survey and nocturnal bat activity surveys. The survey did not identify any evidence of active bat roosts and bats were not recorded emerging from any potential roost structures. There were low levels of bat activity recorded along the River Liffey. All three species recorded, Soprano pipistrelle, Common pipistrelle and Leisler's bats, are common and widespread in Ireland and of favourable conservation status[4]. There may be temporary disturbance to commuting or foraging bats from lighting and machinery from the proposed activities however given the background conditions in this urban area, it is not expected to have a significant impact.

Given the location of the MUL application area, the short-term nature of the activities and the expected noise produced it is unlikely that Annex IV species will be impacted. Nonetheless, the applicant has proposed as a precautionary measure, to employ a Marine Mammal Observer (MMO) to monitor for the presence of otter prior to and during the survey and also to implement a soft-start or ramp-up procedure. The applicant also proposes to follow best practice in terms of minimising impacts to bats, as set out in the revised Annex IV Risk Assessment, via reducing noise and artificial light as much as possible. A condition is

[4] The status of EU protected habitats and species in Ireland. Species Assessments, Volume 3, NPWS, 2025.

recommended to be included in the licence, if granted, to ensure that the holder undertakes the activities in accordance with those 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 investigations.

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 11/09/2026 which concluded that the proposed maritime usage 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. There are no licenced aquaculture sites in the vicinity of the MUL application area and it is not located within spawning and nursery grounds of the majority of commercial fish species. It is within the outer range of mapped haddock nursery grounds. Despite this, due to the scale and nature of the proposed activities will be no impact on commercial fisheries stocks as a result of the activities.

Conditions are recommended in the Proposed Licence, if granted, to ensure minimal disruption to other users including consulting with Dublin Port Company so that any potential disruption to port activities is managed appropriately, publication of a local notice to mariners and not interfering with third party property. A condition is also recommended regarding consulting with Uisce Éireann, Gas Networks Ireland and Dublin City Council to ensure no disruption to cables or pipelines in the MUL application area. The closest designated bathing water under the Bathing Water Directive (2006/7/EC) is greater than 6 km downstream, at Half Moon along the Great South Wall, and therefore will not be impacted.

5. Site visit

No site visit was undertaken for this application however previous site visits in the area have informed this assessment.

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.

1. Observations summary – Department of Agriculture, Food and the Marine
The Department of Agriculture, Food and the Marine (DAFM) responded on 11/08/2026 that given the MUL location there would be no likely impacts to fisheries and aquaculture. Therefore, they would not be making observations on the application.

MARA Response:

The response of DAFM is noted by MARA.

2. Observations summary – Dublin Port Company
Dublin Port Company responded on 11/08/2026 with no observations on the application.

MARA response:

The response of Dublin Port Company is noted by MARA.

3. Observations summary – Geological Survey Ireland
Observations were received on 20/08/2026, as follows: • A list of GIS datasets was provided and recommended to be used when conducting EIAR, SEA, planning and scoping processes for developments, plans and policies. • Information was provided on the INFOMAR project and availability of data such as bathymetry, backscatter, sediment classification, shipwrecks and survey metadata. • Information was provided on the ObSERVE Programme and availability of datasets with information on aerial and acoustic surveys on marine megafauna, including cetaceans, seabirds and other protected species. • Coastal vulnerability maps will provide an insight into the relative susceptibility of the Irish coast to adverse impacts of sea level rise through the use of a Coastal Vulnerability Index (CVI). Initial data is currently available. • A copy of the reports detailing the site investigations would be appreciated and will be added to the GSI's national database of site investigation boreholes.

MARA Response:

MARA notes the observations of the GSI and the availability of datasets. The INFOMAR data does not extend into this section of the River Liffey. A condition is recommended to be included in the licence, if granted, requiring the holder to submit the borehole survey data to the GSI as requested.

4. Observations summary – Health & Safety Authority
The Health & Safety Authority (HSA) responded on 02/09/2026 that the application is outside of the scope of the COMAH Regulations 2015[5] and therefore they have no observations to make.

MARA Response:
The response of the HSA is noted by MARA.

5. Observations summary – Dublin City Council
Dublin City Council (DCC) responded on 09/09/2026 with no comments or observations to make in relation to the proposed licence.

MARA Response:
The response of DCC is noted by MARA.

6. Observations summary – Department of Transport
The Marine Survey Office (MSO) of the Department of Transport responded on 14/09/2026, with no objection to the (dredging) application from a navigational safety perspective. The following was noted by the MSO: • The applicant should engage with Dublin City Council regarding the potential for hazards such as submarine pipelines or cables to be present in the MUL area, • A local notice to mariners should be published in agreement with Dublin Port Company, • The applicant should take all appropriate measures are taken to ensure that safety of navigation is maintained and that any hazard is easily identifiable, • Marking and lighting of moored instruments should be carried out in consultation with the MSO and the Commissioner for Irish Lights. • All vessels must conform to Irish Certification Standards and the MSO should be contacted in relation to the whether and Irish load line survey is required. • The use of autonomous surface ships are currently permitted on a case by case basis and must be approved by the MSO, • The UKHO should be informed of activities that might impact safety of navigation,

[5] S.I. No. 209/2015 – Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015.

- All bathymetry data gathered should be shared with the UKHO and INFOMAR.

MARA Response:

The response of the MSO is noted by MARA and it is assumed that the reference to dredging was an error on their part, given the subject of the response correctly referred to the Metrolink project. To ensure the safety of navigation it is recommended to include a condition in the Proposed Licence regarding the publication of a local notice to mariners in consultation with Dublin Port Company. A condition is recommended to consult with Dublin City Council, Gas Networks Ireland and Uisce Éireann regarding any potential hazards such as cables and submarine pipelines as well as a condition to ensure third party property is not damaged as a result of the activities. A condition is recommended to be included in the licence, if granted, to ensure that all vessels conform to Irish Certification standards for vessels, as required by the Marine Survey Office. Bathymetry surveys, the use of autonomous surface ships or moored instruments are not proposed by the applicant.

7. Observations summary – Department of Housing, Local Government & Heritage

The Development Applications Unit (DAU) of the Department of Housing, Local Government & Heritage responded on 10/09/2026. The DAU included a detailed list of conditions to be included in the licence, summarised as follows:

- The requirement for a Project Archaeologist;
- An underwater archaeological screening report and a final Underwater Archaeological Impact Assessment to be submitted to the Department for review and approval;
- Detailed requirements relating to furnishing information to the Project Archaeologist were specified;
- Details were provided of archaeological sites situated in the environs of the MUL application area, protected shipwrecks may also be situated within or in the environs of the application area and such objects are protected under the National Monuments Act 1987, as amended. Therefore, licences may be required from the National Monuments Service for the site investigation activities, and
- The protection of archaeological heritage is recognised as a core component of the National Marine Planning Framework.

MARA Response:

The response of the DAU is noted. A condition has been recommended to be included in the licence, if granted, requiring the Holder to consult with the Underwater Archaeology Unit of the Department of Housing Local Government and Heritage, National Monuments Service prior to the commencement of the activities and to comply with all of their requirements. The

licence, if granted, also clearly states that the licence does not negate the Holder's statutory obligations or requirements under any other Law.

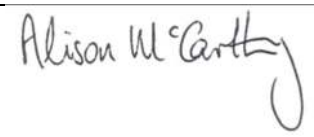
8. Observations summary – Inland Fisheries Ireland
Inland Fisheries Ireland (IFI) responded on 10/09/2026 with observations. The IFI noted that the River Liffey is home to salmon, river and sea lamprey and European eel and these species can be affected by the proposed works. To reduce the impact on fish species the use of soft-start or ramp-up procedures for any sound generating works should be undertaken, on a day-to-day basis as well as following any stoppages. Due to the narrow width of the river channel, drilling should be confined to between 7am and 7pm, to allow for fish migration to take place during the hours of darkness, as the disturbance could affect fish migration. Once the drilling schedule is confirmed, a discussion with the IFI can be had to evaluate the risk to fish migrating and whether 24 hour drilling can be allowed. IFI must be included in an Emergency Response Plan as a notifiable body in the event of water pollution occurring during construction works.

MARA Response:

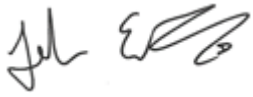
The observations of the IFI are noted by MARA. The applicant proposes to undertake a soft-start or ramp-up procedure on commencement of the drilling operations. As the applicant proposes that the surveys could take place at any time of the year, a condition has been recommended that surveys should be avoided during hours of darkness, to minimise impacts on migratory fish. The licence, if granted, includes a condition (6.3) requiring that any non-compliance with the potential to impact on water quality, fish or shellfish health, must be notified by the Holder to Inland Fisheries Ireland, as well as the Sea Fisheries Protection Authority.

7. Recommendation

Having considered the information submitted in support of the application, and the criteria specified in the Maritime Area Planning Act 2021, as amended, I recommend that a Maritime Usage Licence in accordance with Section 119 of the Maritime Area Planning Act, 2021, as amended, be granted to the National Roads Authority (operating as Transport Infrastructure Ireland), Parkgate Business Centre, Parkgate Street, Dublin 8, D08 DK10, 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 (Schedule 7(3)), subject to the conditions and reasons in the Proposed Licence and for a duration of two years.

Signed:	
Prepared by:	Dr. Alison McCarthy Senior Marine Advisor
Date:	23/10/2026

8. Approval

Signed:	
Approved by:	John Evans Director of Maritime Usage Licensing
Date:	28/10/2026